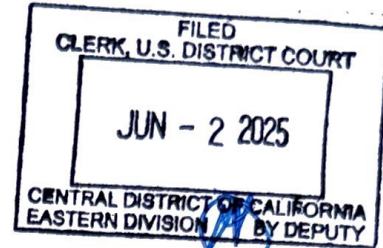


Kevin: Realworldfare (formerly Kevin: Walker)
C/o 30650 Rancho California Road # 406-251
Temecula, California
non-domestic without the United States
Email: team@walkernovagroup.com



*Plaintiff, Real Party In Interest, Secured Party,
Injured Party*

FEE PAID

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Kevin: Realworldfare,
Plaintiff,

Case No. **EDCV25-01357-WLH(MAA)**

vs.

**Naji Doumit, MARINAJ PROPERTIES LLC,
Daniel Doumit, Mary Mare Doumit, John L.
Bailey, Therese Bailey, Barry Lee O'Connor,
FOCUS ESTATES INC, THE BAILEY
LEGAL GROUP, BARRY LEE O'CONNOR
& ASSOCIATES, DOES 1-10, inclusive,**
Defendants.

**VERIFIED COMPLAINT FOR
DAMAGES, EQUITABLE RELIEF, AND
INJUNCTIVE RELIEF:**

1. QUIET TITLE
2. FRAUDULENT CONVEYANCE AND RECORDATION
3. SLANDER OF TITLE
4. RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT (RICO) VIOLATIONS
5. CIVIL RIGHTS VIOLATIONS – DEPRIVATION OF RIGHTS UNDER COLOR OF LAW
6. CONSPIRACY TO VIOLATE CIVIL RIGHTS
7. OBSTRUCTION OF JUSTICE
8. MAIL AND WIRE FRAUD
9. FORGERY AND FALSIFICATION OF PUBLIC RECORDS
10. FALSE CLAIMS AND USE OF FALSE PRETENSES IN JUDICIAL PROCESS
11. CIVIL CONSPIRACY AND AIDING AND ABETTING LIABILITY
12. FEDERAL TRADEMARK INFRINGEMENT, DILUTION, AND COMMERCIAL IDENTITY MISAPPROPRIATION
13. FEDERAL TRADEMARK INFRINGEMENT AND DILUTION
14. COMMERCIAL FRAUD AND CONSTRUCTIVE FRAUD
15. UNFAIR AND DECEPTIVE BUSINESS PRACTICES
16. DEPRIVATION OF PROPERTY WITHOUT DUE PROCESS OF LAW
17. DECLARATORY AND INJUNCTIVE RELIEF

COMES NOW, Kevin: Realworldfare (hereinafter “Plaintiff,” “Real Party in Interest,” and “Secured Party Creditor”), a living man, proceeding *sui juris, in propria persona*, by *Special Limited Appearance only*, not generally, and expressly

1 **not pro se** – reserving fully and unequivocally all inherent, unalienable, and
2 secured rights, defenses, remedies, immunities, and protections at law and in
3 equity, both known and unknown, now and forever, without waiver or diminution.
4 Plaintiff **invokes the equitable maxim** that “*Equity regards the beneficiary as the true*
5 *owner of the trust property,*” and seeks relief accordingly under this Court’s **original**
6 **and plenary jurisdiction in equity**, as a matter of right – not of privilege – where
7 justice, fairness, and truth prevail over form.

8 Plaintiff **expressly reserves** all exemptions, secured positions, rights to discharge,
9 legal and equitable remedies, immunities, and defenses arising under the
10 **Constitution for the United States of America**, the **common law**, and the **Uniform**
11 **Commercial Code (UCC)**, and does not voluntarily enter into any adhesion
12 contract, nor accept or submit to any compelled benefits or liabilities under
13 corporate or statutory presumption.

14 Plaintiff further **invokes the maxim** that “*Equity will not suffer a wrong without a remedy,*”
15 and demands full and complete redress for all wrongs, protection of perfected legal and
16 equitable interests, and the enforcement of standing claims and lawful title. **All**
17 **presumptions of jurisdiction, adhesion, agency, or contractual consent are hereby**
18 **rebutted, denied, and conditionally declined**, absent verified proof of authority, standing,
19 and jurisdiction conferred by lawful contract, full disclosure, and mutual agreement

20 **I. JURISDICTION AND VENUE**

21 1. **This Court has original subject matter jurisdiction** under **28 U.S.C. § 1331**, as this
22 action presents a clear **federal question** arising under the **Constitution** and laws of the
23 United States. The claims involve systemic and ongoing **civil rights violations**, fraud,
24 conspiracy, and other deprivations under **color of law**, specifically including, but not
25 limited to:

- 26 • **42 U.S.C. §§ 1983, 1985, and 1986** – for the deprivation of civil rights,
27 conspiracy to interfere with civil rights, and neglect to prevent such
28 violations;

- 1 • **18 U.S.C. §§ 241 and 242** – for criminal conspiracy and deprivation of rights
- 2 under color of law;
- 3 • **18 U.S.C. § 1962 (RICO)** – for racketeering activity involving a pattern of
- 4 fraud, extortion, and obstruction;
- 5 • **18 U.S.C. §§ 1341 and 1343** – for mail and wire fraud in furtherance of a
- 6 fraudulent scheme;
- 7 • **15 U.S.C. § 1125** – for unfair competition and trademark-related violations
- 8 in commerce;
- 9 • As well as related **federal commercial and equitable claims**, arising from
- 10 violations of fiduciary duty, obstruction of due process, and denial of access
- 11 to remedy.

12 **2.This Court also has original jurisdiction under 28 U.S.C. § 1343**, which
13 expressly confers jurisdiction over actions to redress **deprivations of constitutional**
14 **rights under color of law**, and to secure equitable and legal relief for such
15 violations.

16 **3.Supplemental jurisdiction** is proper under **28 U.S.C. § 1367(a)** over all related
17 state law claims, which arise from the same common nucleus of operative fact and
18 form part of the same case or controversy under **Article III** of the United States
19 Constitution.

20 **4.Venue is proper** in this District pursuant to **28 U.S.C. § 1391(b)** because:

- 21 • A substantial part of the events, omissions, and transactions giving rise to
- 22 these claims occurred within the **Central District of California**, and
- 23 • The **subject real property** and parties affected are located within this
- 24 judicial district.

25 **5.This matter further qualifies for federal intervention and jurisdiction under 28**
26 **U.S.C. § 1443(1)** due to **pervasive civil rights violations**, judicial obstruction, and
27 the refusal of state courts and agents to acknowledge verified commercial
28 instruments, secured filings, lawful rebuttals, and due process claims. Supporting

1 authority includes **Georgia v. Rachel**, 384 U.S. 780 (1966), and **Greenwood v.**
2 **Peacock**, 384 U.S. 808 (1966), both of which establish that federal removal is proper
3 where civil rights cannot be enforced in state court.

4 6.Plaintiff additionally asserts that **a constitutional and jurisdictional**
5 **divergence** exists between the **private Plaintiff/Secured Party** and **public officers**
6 acting under **color of law**, invoking **Article III, Section 2, Clause 1** of the U.S.
7 Constitution, which authorizes judicial power over controversies “between a State
8 and Citizens of another State” and those who are foreign to the corporate
9 jurisdiction of federal territories or agencies.

10 7.All **presumptions of consent, joinder, statutory adhesion, or delegated**
11 **authority have been lawfully rebutted**, with notice perfected by affidavit,
12 commercial record, and prior filings. Accordingly, **this Court, as an Article III court**
13 **of competent jurisdiction, is the exclusive and proper forum** for adjudicating
14 Plaintiff’s federal causes of action, enforcing secured interests, and granting full
15 equitable relief.

16 8.No state court ruling, administrative process, or colorable proceeding shall
17 be deemed to waive or override these rights.

18 II. PROPERTY DESCRIPTION

19 9.The real property subject to this action, held as private trust property, is
20 located at:

21 **31990 Pasos Place, Temecula, California**

22 Assessor’s Parcel No. (APN): **957-570-005**

23 Legal description: Lot 5 of Tract No. 23209, City of Temecula, Book 320, Pages
24 79 through 97, Official Records of Riverside County.

25 III. PARTIES

26 Plaintiff:

27 10.Plaintiff, **Kevin: Realworldfare**, is a living, breathing man, proceeding **sui**
28 **juris, in propria persona**, and **not pro se**. He is a **State Citizen** and **non-citizen**

1 **national** as defined at 8 U.S.C. § 1101(a)(21)–(22)(B), domiciled upon the land
2 within the **California Republic**, a free and independent state of the Union,
3 operating under its original **de jure constitutional authority of 1789**.

4 11.Plaintiff is **non-corporate, non-domestic, and not engaged in any privileged**
5 **activity regulated by the State** or any federal corporate franchise. He brings this
6 action with **full reservation of all rights**, expressly invoking the protections of **UCC**
7 **§ 1-308, the Constitution for the United States of America**, and applicable **state**
8 **and common law. No rights are waived. All rights are reserved.**

9 12.Plaintiff brings this action **exclusively in his proper capacity**, proceeding *sui*
10 *juris, in propria persona*, invoking secured **legal, equitable, and commercial rights**,
11 with full standing to assert and protect his **vested interest in the real property**
12 located at:

13 **31990 Pasos Place, Temecula, California 92592**

14 **APN: 957-570-005**

15 13.Said interest is duly established by **recorded chain of title and perfected**
16 **commercial claim**, supported by the following **duly recorded Grant Deeds** in the
17 Riverside County Recorder's Office:

- 18 • **Grant Deed Document #2022-0490841**, recorded on or about **December 5,**
19 **2022**
- 20 • **Grant Deed Document #2024-0291980**, recorded on or about **September 27,**
21 **2024**

22 14.Plaintiff has further **perfected his secured interest** through proper and lawful
23 commercial filing of **Uniform Commercial Code (UCC)** financing statements and
24 amendments, as follows:

- 25 • **UCC-1 Financing Statement** File #2024385925-4, filed on **February 13, 2024**
- 26 • **UCC-1 Financing Statement** File #2024385935-1, filed on **February 13, 2024**
- 27 • **UCC-3 Amendment** File #2024402433-7, filed on **April 30, 2024**
- 28 • **UCC-3 Amendment** File #2024411182-7, filed on **June 15, 2024**

1 **15.** As such, Plaintiff possesses the exclusive, enforceable right to occupy,
2 control, and defend the subject property against any encroachment, eviction, or
3 adverse action, including those taken under color of law or by parties lacking
4 standing or jurisdiction

5 **16.** All commercial filings were made with the **Nevada Secretary of State**,
6 thereby securing Plaintiff's **priority claim** to the subject real property, inclusive of
7 all **underlying negotiable instruments, deed of trust, mortgage instruments,**
8 **collateral rights, and beneficial interests.**

9 **17.** Plaintiff stands as the **real party in interest** with exclusive, superior, and
10 **lawfully vested title**, perfected through **record, equity, and commercial law**, and
11 brings this verified claim in full harmony with **public law, common law, and the**
12 **Uniform Commercial Code**, as preserved by **UCC § 1-103** and codified in Florida
13 and California statutory law.

14 **Defendants:**

15 **18.** Naji Doumit is named in his **individual capacity** and as a **principal**
16 **agent of MARINAJ PROPERTIES LLC**. Upon information and belief, Naji
17 Doumit is a **Lebanese national and/or resident alien**, unlawfully engaged in
18 a **deliberate scheme to acquire trust-held property through fraud, simulated**
19 **legal process, and commercial dishonor**. Despite having actual and
20 constructive notice of Plaintiff's **lawful, vested, and recorded equitable title**,
21 Doumit proceeded to take possession and assert false claims in violation of
22 both **federal law and international commercial standards**. His actions
23 evidence knowing participation in a **civil conspiracy to obstruct trust rights,**
24 **launder title, and perpetrate a racketeering scheme** through collusion with
25 attorneys, title companies, and known co-defendants. Naji Doumit's
26 participation was not incidental — it was **essential to the execution of a**
27 **coordinated fraudulent conveyance** of property in open defiance of public
28 records and perfected interests. He is liable for **civil RICO violations under**

1 **18 U.S.C. § 1962, slander of title, conversion, and fraudulent inducement,**
2 **and subject to treble damages, injunctive relief, and personal sanctions.**

3 19. **Daniel Doumit** is named in his **individual capacity** and as an **active agent of**
4 **MARINAJ PROPERTIES LLC**, jointly and severally liable for **commercial fraud,**
5 **tortious interference with contract and trust rights, and unjust enrichment.** Daniel
6 Doumit acted in direct coordination with the other named Defendants to
7 unlawfully assert dominion over real property protected under recorded trust
8 instruments and perfected security agreements. His conduct was **willful,**
9 **conspiratorial, and executed with reckless disregard for Plaintiff's rights,** making
10 him personally liable for **all injuries and damages sustained, including punitive**
11 **and statutory damages.**

12 20. **Mary Mare Doumit** is named in her **individual capacity** and as an **agent and**
13 **co-conspirator with MARINAJ PROPERTIES LLC,** equally liable for the **tortious,**
14 **fraudulent, and malicious conduct** alleged herein. Mary Doumit knowingly
15 received and/or participated in the retention, transfer, or concealment of property
16 obtained through **false pretenses, unlawful conveyance, and title laundering.** She
17 is jointly liable for **participating in the conspiracy, for obstructing lawful**
18 **ownership rights, and for unjustly benefiting from the proceeds of fraud.** Her
19 actions constitute **commercial theft, slander of title, and aiding and abetting the**
20 **enforcement of a void instrument.**

21 21. Each of these individuals acted **knowingly, willfully, and in concert** with
22 one another and the named corporate and legal defendants. Their combined actions
23 resulted in substantial harm, loss of lawful property use and enjoyment,
24 deprivation of rights under color of law, and constitute a **clear and convincing**
25 **basis for equitable relief, compensatory and punitive damages, treble damages**
26 **under RICO, and permanent injunction.**

27 22. **John L. Bailey**, California Bar No. 103867, is named in both his **individual**
28 **and official capacity as an attorney** and principal of THE BAILEY LEGAL GROUP.

1 Bailey stands accused of **orchestrating and executing fraud upon the court,**
2 engaging in **egregious ethical misconduct** under **Rule 8.4 of the Rules of**
3 **Professional Conduct**, and participating in the **filing of fraudulent commercial**
4 **instruments**. Specifically, Defendant Bailey **knowingly and willfully aided the**
5 **creation, recording, and enforcement** of a **Trustee's Deed Upon Sale** (Doc.
6 #2025-0017386), which is **void ab initio** as a matter of law. This deed was
7 fraudulently recorded after **lawful title had already vested in Plaintiff** by way of
8 **two prior Grant Deeds** and a **perfected security interest** filed pursuant to the
9 Uniform Commercial Code.

10 23. Bailey was in possession of both **actual and constructive notice** of Plaintiff's
11 legal rights, yet chose to act in **bad faith**, knowingly asserting **false legal claims** to
12 the property. He attempted to **intimidate and silence Plaintiff** through **baseless**
13 **threats** and engaged in **knowingly defamatory and malicious communications**,
14 documented in emails and pleadings. His conduct was not merely unethical – it
15 was **calculated, deliberate**, and executed **in full awareness of its unlawfulness**,
16 demonstrating a **conscious disregard for the truth and the law**.

17 24. Bailey's actions constitute multiple violations of Rule 8.4, including but not
18 limited to:

- 19 • **Rule 8.4(c)** – Engaging in conduct involving **dishonesty, fraud, deceit, or**
20 **reckless misrepresentation**;
- 21 • **Rule 8.4(d)** – Engaging in conduct **prejudicial to the administration of**
22 **justice**;
- 23 • **Rule 8.4(g)** – **Knowingly assisting** or inducing others to violate the Rules,
24 or engaging in misconduct through others.

25 **25.** As such, Bailey is **personally liable** for all damages arising from his conduct
26 and is subject to **disciplinary proceedings, monetary penalties, and civil RICO**
27 **liability** under **18 U.S.C. § 1962(c)** for **knowingly participating in a pattern of**
28 **racketeering activity** and simulated legal process.

1 **26. Therese Bailey**, California Bar No. 171043, affiliated with THE BAILEY
2 LEGAL GROUP, is likewise named in her **individual and official capacity**. She is
3 jointly and severally liable for **aiding and abetting fraud, obstruction of justice,**
4 and participation in **simulated legal process**. Therese Bailey acted as a **co-**
5 **conspirator** in executing false legal pleadings, advancing the enforcement of a void
6 trustee's deed, and weaponizing judicial machinery to impair Plaintiff's legal rights.
7 She acted in bad faith, with knowledge of Plaintiff's perfected title, and is therefore
8 fully culpable under all applicable state and federal statutes.

9 **27. Barry Lee O'Connor**, California Bar No. 134549, is named **individually and in**
10 **his official capacity** as legal counsel for MARINAJ PROPERTIES LLC and principal
11 of BARRY LEE O'CONNOR & ASSOCIATES. O'Connor is accused of **active**
12 **participation in civil fraud, obstruction of justice, suppression of remedy, and**
13 **unauthorized commercial activity**, including the **use of simulated legal process** to
14 dispossess Plaintiff of lawfully vested property. Defendant O'Connor acted in
15 concert with other parties to **record and enforce a fraudulent Trustee's Deed Upon**
16 **Sale** – again, Document #2025-0017386 – despite having **actual knowledge of**
17 **superior legal title and perfected interest** lawfully vested in the Plaintiff.

18 28. O'Connor's conduct also includes **trademark infringement**, deliberate
19 **misuse of court process**, and issuing **knowingly false representations** in court
20 documents and correspondence. As an officer of the court, O'Connor was bound to
21 the highest standards of truth and fiduciary integrity. Instead, he weaponized his
22 bar license to perpetrate a fraud, in direct violation of:

- 23 • **Rule 8.4(c)** – Dishonest and fraudulent conduct;
- 24 • **Rule 8.4(d)** – Conduct prejudicial to the administration of justice;
- 25 • **Rule 8.4(g)** – Knowingly assisting misconduct through others.

26 **29. Barry Lee O'Connor's** misconduct was **willful, malicious, and**
27 **conspiratorial**, and exposes him to **State Bar disciplinary action, civil liability, and**
28 **RICO prosecution** under 18 U.S.C. § 1962.

1 **30.MARINAJ PROPERTIES LLC** is a California limited liability company
2 alleged to have **purchased and claimed real property through a fraudulent and**
3 **void trustee's deed** in commercial dishonor. MARINAJ is sued for:

- 4 • **Civil RICO violations**
- 5 • **Slander of title**
- 6 • **Commercial fraud**
- 7 • **Unjust enrichment**
- 8 • **Wrongful possession of trust-held property**

9 **31.FOCUS ESTATES INC** is a California corporation allegedly involved in the
10 **fraudulent transfer, assignment, or sale of interests** in the subject property while
11 acting in **bad faith, in commercial dishonor, and without legal standing or**
12 **authority**. This entity is subject to **civil liability, rescission of claims, and**
13 **restitution**.

14 **32.THE BAILEY LEGAL GROUP**, a California limited liability law firm, is
15 jointly liable for the conduct of its agents and attorneys under **agency theory,**
16 **conspiracy, and civil aiding and abetting** doctrines. It is liable for:

- 17 • **Simulated legal process**
- 18 • **Fraudulent court filings**
- 19 • **Systematic abuse of judicial process**
- 20 • **Violations of Rule 8.4 of the Rules of Professional Conduct**

21 **33.DOES 1-10**, inclusive, are unknown parties who **participated in, facilitated,**
22 **benefited from, or conspired with** the named Defendants in executing or
23 concealing the unlawful conduct described. Plaintiff reserves the right to **amend**
24 **this Complaint upon discovery of their identities**, at which time they will be held
25 **fully liable under every applicable cause of action** alleged herein.

26 **III. PLAINTIFF'S TITLE**

27 34. Plaintiff is the lawful **secured party, equitable title holder, and real party in**
28 **interest** in the subject property located at **31990 Pasos Place, Temecula, California**

1 **92592**, by virtue of a duly **recorded Grant Deed**, Document No. **2024-0291980**,
2 dated **September 27, 2024**, recorded in the **Official Records of Riverside County**,
3 which vests full title and interest in the Plaintiff. (See Exhibit A)

4 35.Plaintiff has lawfully secured and perfected his rights, title, and interest in the
5 property through the timely filing of **Uniform Commercial Code (UCC)** Financing
6 Statements and Amendments with the **Nevada Secretary of State**. These filings
7 provide formal **public notice** of Plaintiff's **enforceable, superior security interest**
8 in the real property and any associated instruments, thereby establishing **equitable**
9 **and legal standing** in full compliance with the UCC and controlling statutory law.
10 (See Exhibits B, C, D, and E)

11 **IV. STANDING**

12 36.Plaintiff affirms his lawful standing, conclusively established and admitted
13 by Defendants through their failure to rebut Plaintiff's duly served and verified
14 **affidavits, contracts, and security agreements**, all of which now stand as **self-**
15 **executing instruments by operation of law**.

16 37.Plaintiff is the **lawful secured party, equitable title holder, holder in due**
17 **course, and real party in interest** to the subject property and all associated
18 tangible and intangible assets. Plaintiff is **undisputedly the Creditor** in this
19 matter and retains **all rights explicitly reserved under U.C.C. § 1-308**, waiving
20 none.

21 38.Plaintiff alone holds **exclusive, absolute, and complete standing**, which is
22 unchallenged and unrebutted in fact or law.

23 39.Defendants are **not creditors, not assignees of any creditor**, and **possess no**
24 **valid power of attorney**, standing, or interest in the property whatsoever. Rather,
25 Defendants are the **debtors** in this matter and are operating in clear **commercial**
26 **and legal dishonor**.

27 **40.**Defendants have **no lawful claim** to the real property known as **31990 Pasos**
28 **Place, Temecula, California**, legally described as:

Lot 5 of Tract No. 23209, in the City of Temecula, County of Riverside, State of California, as recorded in Book 320, Pages 79 through 97, of Maps, in the Office of the County Recorder of Riverside County, APN: 957-570-005.

41.Plaintiff's exclusive interest is **duly recorded and perfected**, including via **Grant Deed recorded in the Official Records of Riverside County, Document No. 2024-0291980**, which stands as public notice of title and legal right. (See Exhibit G)

42.Accordingly, **Plaintiff maintains exclusive standing and superior claim** to all related assets, enforceable as a matter of law and equity, and uncontested by any valid rebuttal or lawful evidence to the contrary.

V. STATEMENT OF FACTS - CHAIN OF TITLE, SECURITY INTEREST,AND VOID DEED, CONTINUED PATTERN OF FRAUD, SIMULATION, AND MALICIOUS ABUSE OF PROCESS BY DEFENDANTS

43.Defendants remain in **verified dishonor and default**, as conclusively evidenced by their failure to rebut Plaintiff's duly served **affidavits, contracts, and security agreements** – each of which now stands as **self-executing, unrebutted instruments** under the law. (See Exhibits G, H, I, and J.) Accordingly, **Defendants are deemed in commercial and legal dishonor** by operation of law and estoppel.

44.Plaintiff, Kevin: Realworldfare, is the **undisputed Real Party in Interest, Secured Party, Creditor, and Holder in Due Course** under U.C.C. §§ 3-302 and 3-306, lawfully possessing superior claim over **all assets – tangible, intangible, registered, and unregistered** – and holding **allodial title** to the subject property. This standing is perfected and established by **public UCC filings** with the Nevada Secretary of State, specifically:

- **UCC-1 Financing Statement #2024385925-4**
- **UCC-1 Financing Statement #2024385935-1**
- **UCC-3 Amendment #2024402433-7**

• **UCC-3 Amendment #2024411182-7**

(See Exhibits B, C, D, and E.)

45.Pursuant to applicable commercial law, and as publicly recorded, the **Deed of Trust**, along with the **underlying Note and/or Negotiable Instrument**, has been **lawfully tendered, accepted, securitized, and discharged**. No lawful obligation or debt remains; the obligation has been **fully extinguished by operation of law**, and any assertion to the contrary constitutes fraud and commercial deceit.

46.The public recording and perfection of said instruments give Plaintiff a **lawful, first-in-time, first-in-right claim**, enforceable against **all parties and third-party actors**, including — but not limited to — **trustees, lenders, servicers, attorneys, purported beneficiaries, or successors in interest**, none of whom possess standing, valid contract, or authority superior to Plaintiff's recorded claim.

47.Plaintiff has lawfully fulfilled all relevant obligations, perfected title and interest, and now holds a **superior, exclusive, and enforceable legal and equitable claim** to the subject property, **free and clear of all adverse, competing, or purported claims**. Plaintiff's position is a matter of **public record**, remains **uncontested in law**, and stands as **res judicata and estoppel by silence and acquiescence**.

48.On **December 5, 2022**, a **GRANT DEED** (DOC #2022-0490841, File No.: 30291 KH) was recorded in the **Official Records of Riverside County** for **APN: 957-570-005**. (See Exhibit F)

49.On **September 27, 2024**, a **GRANT DEED** (DOC #2024-0291980, File No.: 37238 KH) was recorded in the **Official Records of Riverside County** for **APN: 957-570-005**. (See Exhibit A)

50.On **February 13, 2024**, Plaintiffs duly filed a **UCC-1 Financing Statement** and **Notice Filing No. 2024385925-4** , with the Secretary of State of Nevada, thereby further perfecting and providing public notice of their secured interest in the subject property. (See Exhibit B)

1 51. On **February 13, 2024**, Plaintiffs duly filed a **UCC-1 Financing Statement** and
2 **Notice** Filing No. **2024385935-1**, with the Secretary of State of Nevada, thereby
3 further perfecting and providing public notice of their secured interest in the
4 subject property. (See Exhibit C)

5 52. On **April 30, 2024**, Plaintiffs duly filed a **UCC-3 Amendment and Notice**,
6 Filing No. **2024402433-7**, with the Secretary of State of Nevada, thereby further
7 perfecting and providing public notice of their secured interest in the subject
8 property. (See Exhibit D)

9 53. On **June 15, 2024**, Plaintiffs duly filed a **UCC-3 Amendment and Notice**,
10 Filing No. 2024411182-7, with the Secretary of State of Nevada, thereby further
11 perfecting and providing public notice of their secured interest in the subject
12 property. (See Exhibit E)

13 54. On **January 17, 2025**, a purported **Trustee's Deed Upon Sale** (Document No.
14 2025-0017386) was fraudulently recorded in the official records. Said instrument is
15 **void ab initio**, as the party executing the alleged transfer lacked both **lawful title**
16 and **legal authority** to convey any interest in the subject property, rendering the
17 deed legally null and without force or effect.

18 55. Any **deed** — including, but not limited to, a '**TRUSTEE'S DEED UPON**
19 **SALE**' (Doc. #2025-0017386) — presently in the **Plaintiffs' possession** constitutes a
20 **product of fraud** and is therefore **null and void ab initio**, having **absolutely no**
21 **legal force or effect**.

22 56. No transfer or assignment of title has occurred since the recording of GRANT
23 DEED #2024-0291980 on September 27, 2024.

24 57. The **private trust property** *remains private trust property* and is the property
25 of an **irrevocable, non-statutory** trust.

26 58. No judicial foreclosure or court order authorized the sale. Any non-judicial
27 attempt to extinguish Plaintiffs' equitable title without due process is
28 constitutionally defective and void.

1 59. On or about **March 16, 2025**, Defendants **fraudulently** filed an
2 Unlawful Detainer (UDME2500465), despite the existence of a superior,
3 pending quiet title action and in full knowledge of Plaintiff's *perfected* legal
4 and equitable interest in the subject property. This act constituted procedural
5 fraud, commercial dishonor, and a willful attempt to simulate jurisdiction and
6 harass the true title holders.

7 60. On or about **March 22, 2025**, Plaintiffs and/or Secured Parties, as defendants
8 in the Unlawful Detainer case (UDME2500465), filed their "*VERIFIED RESPONSE*
9 *AND DEMAND FOR DISMISSAL OF FRAUDULENT UNLAWFUL DETAINER*
10 *AND SANCTIONS AGAINST PLAINTIFF AND DEMAND FOR CONSIDERED*
11 *AND STIPULATED JUDGMENT, AND DEMAND FOR QUIET TITLE AND*
12 *DEMAND FOR SUMMARY JUDGMENT IN FAVOR OF DEFENDANTS, AS A*
13 *MATTER OF LAW.*" Said filing stands *unrebutted*, conclusively challenging the UD
14 court's jurisdiction and **extinguishing any viable claim therein**. The Unlawful
15 Detainer action was thereby rendered moot and **void *ab initio***.

16 61. On or about **April 16, 2025**, Plaintiffs and/or Secured Parties lawfully filed
17 the **Verified Quiet Title Action (Case No. CVME2504043)** to confirm and enforce
18 their perfected legal and equitable interests, publicly recorded via Grant Deeds and
19 UCC Financing Statements. This filing lawfully invoked the Court's equitable
20 jurisdiction and rendered any subsequent claims by Defendants procedurally
21 subordinate and jurisdictionally void.

22 62. On or about **May 7, 2025**, Defendants and their counsel submitted a defective,
23 non-verified "Cross-Complaint," devoid of standing, lawful claim, or verified facts.
24 **This filing was expressly rejected by the Court** and stands as evidence of a
25 **simulated legal process and attempted fraud upon the court.**

26 63. Defendants' fraudulent, defective, and invalid Cross-Complaint invoked
27 *conclusory* allegations and relied on simulated legal instruments, including a void
28 Trustee's Deed executed after Plaintiffs' perfected interest had been publicly

1 recorded. These acts constituted attempted theft, commercial fraud, and criminal
2 trespass upon trust assets.

3 64. On **May 12, 2025**, in **Case No. CVME2504043**, Plaintiffs and/or Secured
4 Parties filed a, *VERIFIED RESPONSE, CONDITIONAL ACCEPTANCE, AND*
5 *MOTION AND DEMAND TO STRIKE CROSS-COMPLAINT, SANCTION*
6 *COUNSEL FOR FRAUD, AND QUIET TITLE IN FAVOR OF PLAINTIFFS*, as a
7 matter of law, relating to the Complaint for Quiet Title brought by WG PRIVATE
8 IRREVOCABLE TRUST. This verified submission remains unrebutted and
9 constitutes a perfected rebuttal to all adverse claims

10 65. On **May 14, 2025**, in **Case No. CVME2504043**, Plaintiffs and/or Secured
11 Parties filed a *MOTION FOR JUDGMENT ON THE PLEADINGS* on the Quiet
12 Title Complaint. This motion remains **unrebutted and undisputed** as of the filing
13 date.

14 66. Also on **May 14, 2025**, in **Case No. CVME2504043**, Plaintiffs and/or Secured
15 Parties submitted a, VERIFIED NOTICE, *CONDITIONAL ACCEPTANCE,*
16 *REBUTTAL, MOTION, and DEMAND TO STRIKE FRAUDULENT "RELATED*
17 *CASE" DESIGNATION, WITH AFFIRMATION OF NON-RELATED STANDING*
18 *AND MOTION AND DEMAND FOR SANCTIONS AGAINST PLAINTIFF AND*
19 *COUNSEL FOR FRAUD UPON THE COURT*. This verified and unrebutted filing
20 formally repudiated any fabricated connection to other unrelated litigation and
21 documented Defendants' simulated legal joinder and repeated procedural bad
22 faith.

23 67. On **May 14, 2025**, in **Case No. CVME2504043**, Plaintiffs and/or Secured
24 Parties also filed a **Motion for Sanctions** pursuant to **CCP § 128.7 and Rule 11**,
25 which likewise stands **unrebutted**, confirming the Defendants' continued dishonor,
26 procedural default, and commercial liability.

27 68. On **May 15, 2025**, Plaintiffs and/or Secured Parties presented a, **FINAL**
28 **COMMERCIAL SETTLEMENT OFFER AND STIPULATED QUIET TITLE**

1 **JUDGMENT**, duly served on all relevant parties. Defendants rejected the offer in
2 totality, without good cause or verified rebuttal, thereby defaulting in commercial
3 dishonor. A true and correct copy of the settlement offer is attached hereto as
4 **Exhibit BB** and incorporated herein by reference. There dishonorable denial is
5 attached hereto as **Exhibit CC**.

6 69. On **May 16, 2025**, Defendants **knowingly and intentionally emailed**
7 **Plaintiffs**, stating their intent to proceed **ex parte**, despite being in
8 **commercial dishonor and with unclean hands**, in an attempt to have their
9 **previously rejected Cross-Complaint** secretly and improperly filed. **No ex**
10 **parte motion was docketed**, and no lawful notice was provided. Nonetheless,
11 **in blatant violation of due process, the court retroactively accepted and filed**
12 **the Cross-Complaint**, without proper ex parte review, without any docketed
13 **hearing, and without lawful service — a clear act of collusion, simulation of**
14 **legal process, and judicial fraud.**

15 70. Defendants have continued to misuse the estate names “**™KEVIN**
16 **WALKER©**” and “**™DONNABELLE MORTEL©**” in fraudulent filings, now
17 constituting no less than twelve (12) unauthorized commercial infringements in
18 violation of the controlling Trademark and Copyright Protection Agreement.
19 Liquidated damages exceed \$12,000,000.00 as a matter of binding commercial
20 record and agreement.

21 71. All fraudulent filings — including the fabricated “**Notice of Related Case**” —
22 were clearly orchestrated to **simulate a false legal nexus**, obstruct lawful title
23 proceedings, and derail a perfected and unrebuted quiet title action. These filings
24 represent **abuse of judicial process, procedural fraud, malicious interference with**
25 **lawful estate rights, and fraud upon the court.**

26 72. Defendants have **never rebutted or responded lawfully** to any of the
27 **conditional acceptances, affidavits of default, or commercial instruments**
28 **tendered and recorded, and remain in verified dishonor** under **UCC § 3-505**. This

standing default confirms their liability, lack of lawful claim, and intent to operate in bad faith, thereby triggering enforcement under equity, commercial law, and public policy.

73. Each act undertaken by Defendants and their attorneys—including **fraudulent filings, evasion of service, collusion with court officers, and rejection of peaceful settlement**—was a **deliberate campaign to defraud, intimidate, defame, and dispossess the real party in interest** from his lawful property. These are not technicalities; they are **commercial crimes**, actionable under **state and federal law**, warranting **sanctions, injunctive relief, and criminal referral**.

VI. PLAINTIFFS' EXCLUSIVE RIGHT TO EQUITY AND TRUE OWNERSHIP OF PRIVATE TRUST PROPERTY

74. **Exclusive Right to Equity:** The Plaintiffs hold the exclusive right to equity in the private trust property as the sole beneficiaries and equitable title holders. "Equity regards the beneficiary as the true owner." (Jus accrescendi inter mercatores locum non habet – The right of survivorship has no place among merchants.) No party may claim a superior interest absent a lawful and valid contract knowingly, voluntarily, and intentionally entered into by the Plaintiffs. Any adverse claim not supported by a lawful agreement is **void ab initio**.

75. **Superior Equitable Interest:** It is a fundamental principle that "**Equity regards substance rather than form**." The Plaintiff's equitable title remains intact despite any mere legal titleholder's claims, as the equitable owner is the true owner. No constructive or resulting trust may be imposed upon the Plaintiffs' absent an express agreement supported by full disclosure and valuable consideration. "A trust once established is not easily overturned."

76. **Private Trust Property Protection:** The private trust property remains outside the reach of unauthorized claims, as the Plaintiff has not granted jurisdiction, standing, or authority to any third party. "**Equity will not suffer a wrong without a remedy**." Any attempt to deprive the Plaintiff of his rightful ownership constitutes

1 fraud, conversion, and an unlawful taking in violation of trust law *principles*. "What
2 is mine cannot be taken from me without my consent." (Quod meum est sine me
3 auferri non potest.)

4 **77. Legal and Equitable Maxim of Ownership:** Under fundamental equitable
5 principles, "**Where the equities are equal, the first in time prevails.**" The Plaintiff's claim
6 predates **any** competing interest, as their rights derive from original title, not from a
7 subsequent claim or assignment. "**The law helps those who are vigilant, not those who**
8 **sleep on their rights.**" (Vigilantibus non dormientibus jura subveniunt.) As first in time
9 and right, the Plaintiffs' ownership remains unimpeachable in equity and law.

10 **78. Assertion of True Ownership:** The Plaintiffs asserts his rightful ownership of
11 the private trust property and demand recognition of their exclusive equitable title.
12 "A right cannot arise from a wrong." (Ex injuria jus non oritur.) **Any** conflicting
13 claims, encumbrances, or adverse interests constitute an unjust interference with
14 the Plaintiff's vested rights and must be extinguished. "Equity looks to the intent,
15 not the form." (Equitas intuetur, non formam.)

16 **VII. SECURITY INTEREST SECURED AND PERFECTED** 17 **THROUGH UCC FILINGS**

18 79. Plaintiff lawfully secured *and perfected* **all** interest, rights, and equitable title
19 to the subject property via properly filed UCC-1 Financing Statements, identifying
20 both the debtor and the secured party, which are a matter of public record.

21 80. The filing of the **UCC-1 Financing Statements** on **February 13, 2024** (Filing
22 Nos. #2024385925-4 and #2024385935-1), followed by the **UCC-3 Amendments and**
23 **Notices** on **April 30, 2024** and **June 15, 2024** (Filing Nos. #2024402433-7 and
24 #2024411182-7), respectively, gave **constructive notice to all third parties**, including
25 any putative trustees, servicers, or investors, of the secured interest held by the
26 Trust.

27 81. Under **UCC § 9-105, 9-308, and 9-509**, the Plaintiff's secured interest is
28 considered *perfected* and **enforceable against third parties**. The public filing of said

1 instruments evidences the Plaintiffs' lawful right to the property as **secured party**
2 **creditor**.

3 82.As a result of the *perfected* security interest and the recorded chain of title via
4 GRANT DEED #2024-0291980, no trustee, lender, servicer, or third party had or has
5 lawful or legal authority to initiate, conduct, or execute a Trustee's Sale under any
6 statutory or contractual provision.

7 83.The entity purporting to act as "trustee" in recording a **Trustee's Deed Upon**
8 **Sale (Doc. #2025-0017386)** acted *without standing, without legal authority, and in*
9 **violation of perfected, prior interests**. Said trustee's deed is therefore **void ab**
10 **initio**, did/does not transfer any legal or equitable title, and is a fraudulent
11 instrument clouding lawful title

12 84.A cloud on title exists where a recorded instrument falsely purports to affect
13 title. (See *Kahan v. Rosenstiel*, 424 F.2d 161, 173.) Plaintiffs seek to remove the
14 Trustee's Deed as a fraudulent and void instrument.

15 **VIII. THE TRUSTEE'S DEED IS VOID AB INITIO, WITHOUT LEGAL**
16 **EFFECT, AND CANNOT CONVEY TITLE**

17 85. Plaintiff alleges and asserts that the purported *Trustee's Deed Upon Sale*,
18 recorded as Document No. 2025-0017386, is **void ab initio**, meaning it is legally null
19 from inception and never had any force or effect. A void deed cannot confer title,
20 does not create a valid legal or equitable interest, and cannot serve as the
21 foundation for any lawful claim or defense. It is a legal nullity and must be treated
22 as such.

23 "A void deed conveys nothing. It cannot serve as the basis for a bona fide
24 purchaser claim."

25 — *Dimock v. Emerald Properties, LLC*, 81 Cal. App. 4th 868, 876 (2000).

26 86.The foreclosure sale and deed at issue were executed in violation of Plaintiff's
27 constitutionally protected property rights and outside the scope of any lawful
28 trustee authority. The process used was deceptive, simulated, and done without

proper notice or lawful jurisdiction. As such, it was an unconstitutional deprivation of property.

“A judgment [or deed] obtained without proper notice or due process is void on its face and subject to collateral attack.”

— *Mabanag v. Superior Court*, 106 Cal. App. 2d 457, 462 (1951).

“A trustee's deed is invalid if the trustee lacked the power to convey title.”

— *Little v. CFS Serv. Corp.*, 188 Cal. App. 3d 1354, 1362 (1987).

87. Defendants were on **actual and constructive notice** of Plaintiff's prior recorded interest in the property, including:

- Two Grant Deeds recorded in 2022 and 2024 vesting lawful title,
- A perfected secured interest evidenced by UCC filings publicly recorded with the Nevada Secretary of State,
- Multiple un rebutted affidavits, conditional acceptances, and notices of claim.

88. Despite such knowledge, Defendants unlawfully recorded a Trustee's Deed Upon Sale based on a simulated and defective process. As California law holds, **fraud vitiates everything it touches**, and a party who acts with such knowledge cannot qualify as a good faith purchaser or rely on a void instrument.

“A party cannot claim good faith where they had actual or constructive knowledge of a competing title.”

— *Bank of America v. Reidy*, 15 Cal. 2d 243, 248 (1940).

“Trustee sales are strictly construed. If the trustee fails to substantially comply with the statutory framework, the sale is invalid.”

— *Kachlon v. Markowitz*, 168 Cal. App. 4th 316, 334 (2008).

89. Further, the wrongful issuance of the Trustee's Deed amounts to a deprivation of property without due process of law, in violation of **Article I, Section 7 of the California Constitution** and the **Fifth and Fourteenth Amendments to the U.S. Constitution**.

1 90. Because the deed is void — not voidable — **no legal or equitable interest can**
2 **be derived through it**, and any claim made by Defendants or their agents is made
3 under false color and without lawful standing.

4 91. Accordingly, Plaintiff seeks a declaration from this Court that:

- 5 1. The Trustee's Deed Upon Sale is **void ab initio**, has no legal force or effect,
6 and cannot be relied upon by any party;
- 7 2. Defendants have no lawful, equitable, or commercial interest in the subject
8 property;
- 9 3. Plaintiff holds sole lawful title and superior perfected claim to the property,
10 as a matter of public record and unrebutted law.

11 **IX. PRESUMPTION OF DISHONOR UNDER U.C.C. § 3-505 AND**
12 **IRREFUTABLE EVIDENCE OF DEFENDANTS' DEFAULT**

13 92. Defendants remain in default and dishonor by operation of law. Their failure
14 to rebut, contest, or otherwise answer Plaintiffs' verified claims, affidavits,
15 contracts, and commercial presentments — within the time prescribed — constitutes
16 legal dishonor and commercial default under the Uniform Commercial Code.

17 93. Plaintiff submitted and duly recorded a notarized "AFFIDAVIT
18 CERTIFICATE OF DISHONOR, NON-RESPONSE, DEFAULT, JUDGMENT, AND
19 LIEN AUTHORIZATION" (hereinafter "Affidavit of Dishonor"), which conforms
20 precisely to the evidentiary standards and procedural elements set forth in U.C.C. §
21 3-505 and the California Commercial Code §§ 3505 & 3502. **(See Exhibit J)**

22 **94. Legal Standard – U.C.C. § 3-505 & Cal. Com. Code § 3505:**

23 95. Under U.C.C. § 3-505 (adopted by California under Commercial Code § 3505),
24 the following items constitute presumptive evidence of dishonor:

- 25 a. A document regular in form purporting to be a protest (e.g., a notarized
26 affidavit);
- 27 b. A stamp, writing, or record indicating refusal to accept or pay;
- 28 c. A book or record from a financial institution or commercial party

1 evidencing non-performance;

2 d. A notarial certificate attesting to dishonor or nonperformance.

3 **96.U.C.C. § 3-505(b) defines a “protest” as:**

4 “A certificate of dishonor made by...a notary public...It must identify the
5 instrument and certify either that presentment has been made...[or] the
6 instrument has been dishonored by nonacceptance or nonpayment...The protest
7 may also certify that notice of dishonor has been given.”

8 97.The Plaintiff’s Affidavit of Dishonor was notarized by a lawful officer of the
9 jurisdiction, regular on its face, served upon Defendants, and remains unrebutted.
10 It constitutes a formal protest, meeting and exceeding the threshold of evidence
11 defined under U.C.C. § 3-505 and California Commercial Code § 3505.

12 **98.Legal Consequences of Unrebutted Affidavits:**

13 99.Once served, failure to timely respond constitutes legal dishonor and tacit
14 admission, with the affidavit standing as final adjudicative truth under commercial
15 law and binding evidentiary standards:

- 16 • “A notarial protest which conforms to statutory requirements creates a
17 presumption of dishonor and default.”
18 — *Union Bank v. Winnebago Indus., Inc.*, 528 F.2d 95 (9th Cir. 1975)
- 19 • “An affidavit which is unchallenged or unrebutted must be accepted as
20 true.”
21 — *Morris v. National Cash Register Co.*, 44 Cal. App. 3d 939, 943 (1975)
- 22 • “Silence in the face of an affidavit is acquiescence. That which is unrebutted
23 becomes the truth in law.”
24 — *Norton v. Shelby County*, 118 U.S. 425, 442 (1886)

25 100.Further, under **California Evidence Code § 664**, “It is presumed that official
26 duty has been regularly performed.” Notarization and service of the affidavit
27 trigger this presumption, and absent admissible evidence to the contrary, the
28 affidavit is deemed presumptively valid and self-authenticating.

101. Defendants have submitted no verified affidavits, no sworn rebuttal, and no admissible evidence to invalidate or refute the Plaintiff's sworn statements. Consequently, the Affidavit of Dishonor and related instruments stand as:

- a. Verified evidence of dishonor;
- b. Self-executing contractual record;
- c. Operative lien authorization;
- d. Commercial default judgment by estoppel.

102. Defendants Are Legally Estopped:

103. Defendants are now estopped from contesting the findings and conclusions set forth in the Affidavit of Dishonor:

- a. The law does not permit a party to remain silent in dishonor, and later object to the consequences of their non-response.
- b. Defendants' silence operates as admission, acquiescence, and commercial default, forming an irrevocable basis for enforcement.
- c. Having defaulted administratively, Defendants may no longer raise defenses or denials in subsequent judicial or quasi-judicial forums.

104. "A party who fails to timely and properly respond to an affidavit of truth admits all facts contained therein." — *United States v. Kis*, 658 F.2d 526, 536 (7th Cir. 1981)

105. Accordingly, Defendants are in dishonor by law, the facts presented in Exhibit J are conclusively established, and all rights of rebuttal or defense are deemed waived under applicable commercial, statutory, and constitutional authority.

X. FOUNDATIONAL 'CASE LAW' ON STANDING, MORTGAGE FRAUD, FORECLOSURE, CORPORATE OVERREACH

106. Plaintiffs' reference the following 'case law' summary highlights key legal principles on jurisdiction, standing, and procedural requirements in financial and

1 mortgage-related cases. Courts consistently **void judgments rendered** *without*
2 **proper jurisdiction** and emphasize the need for a party to demonstrate legal
3 **standing**. Fraudulent lending practices, including violations of **federal regulations**,
4 have led to dismissals with prejudice. Corporate overreach by banks is curtailed
5 through rulings that prohibit lending credit and ultra vires contracts. Evidentiary
6 standards stress the **sufficiency of affidavits** and the **duty** of full and complete
7 disclosure of information to prevent fraud. Contract **principles** underscore the
8 nullification of agreements lacking proper consideration,.

9 **107. Jurisdiction and Standing in Court:** Courts have consistently held that
10 judgments rendered without subject matter jurisdiction are **void from inception**,
11 and parties *must* have **standing** to invoke a Court's jurisdiction. Notable cases
12 emphasize that plaintiffs must demonstrate ownership of notes and mortgages at
13 the time of filing to proceed with foreclosure actions. Failure to do so results in
14 jurisdictional dismissal.

15 **1. Patton v. Diemer**, 35 Ohio St. 3d 68; 518 N.E.2d 941 (1988): "A judgment
16 rendered by a court lacking subject matter jurisdiction is **void ab initio**.
17 Consequently, the authority to vacate a void judgment is not derived from
18 Ohio R. Civ. P. 60(B), but rather constitutes an inherent power possessed by
19 Ohio courts. I see no evidence to the contrary that this would apply to ALL
20 courts."

21 **2. Lebanon Correctional Institution v. Court of Common Pleas**, 35 Ohio St.2d
22 176 (1973): "A party lacks **standing** to invoke the jurisdiction of a court unless
23 he has, in an individual or a representative capacity, some **real interest** in the
24 subject matter of the action."

25 **3. Wells Fargo Bank v. Byrd**, 178 Ohio App.3d 285, 2008-Ohio-4603, 897 N.E.2d
26 722 (2008): "If plaintiff has offered no evidence that it owned the note and
27 mortgage when the complaint was filed, it would not be entitled to judgment
28 as a matter of law."

1 **4. Indymac Bank v. Boyd**, 880 N.Y.S.2d 224 (2009): "To establish a *prima*
2 *facie* case in an action to foreclose a mortgage, the plaintiff must
3 establish the existence of the mortgage and the mortgage note. It is the
4 law's policy to allow only an aggrieved person to bring a lawsuit . . . A
5 want of 'standing to sue,' in other words, is just another way of saying
6 that this particular plaintiff is not involved in a genuine controversy,
7 and a simple syllogism takes us from there to a 'jurisdictional'
8 dismissal."

9 **5. Indymac Bank v. Bethley**, 880 N.Y.S.2d 873 (2009): "The Court is concerned
10 that there may be fraud on the part of plaintiff or at least malfeasance.
11 Plaintiff INDYMAC (Deutsche) must have '**standing**' to bring this action."

12 **108. Fraud and Misrepresentation in Mortgage Cases:** Several cases illustrate
13 fraudulent practices by lenders, including violations of the Federal Truth in
14 Lending Act and withholding vital loan information. Courts have dismissed cases
15 with prejudice where fraud on the court was evident.

16 **1. Wells Fargo, Litton Loan v. Farmer**, 867 N.Y.S.2d 21 (2008): "Wells Fargo does
17 not own the mortgage loan... Therefore, the matter is dismissed with
18 prejudice."

19 **2. Wells Fargo v. Reyes**, 867 N.Y.S.2d 21 (2008): "Dismissed with prejudice,
20 Fraud on Court & Sanctions. Wells Fargo never owned the Mortgage."

21 **3. Deutsche Bank v. Peabody**, 866 N.Y.S.2d 91 (2008): "EquiFirst, when making
22 the loan, violated Regulation Z of the Federal Truth in Lending Act 15 USC
23 §1601 and the Fair Debt Collections Practices Act 15 USC §1692; 'intentionally
24 created fraud in the factum' and withheld from plaintiff 'vital information
25 concerning said debt and all of the matrix involved in making the loan.'"

26 **109. Corporate and Banking Overreach:** Decisions highlight that banks **cannot**
27 lend their credit or guarantee debts, as these actions are ultra vires and not legally
28 binding. These rulings reinforce the limitations on corporate and banking activities.

1 **1. Zinc Carbonate Co. v. First National Bank**, 103 Wis. 125, 79 NW 229 (1899):

2 "The doctrine of ultra vires is a most powerful weapon to private
3 corporations within their legitimate spheres and punish them for violations
4 of their corporate charters, and it probably is not invoked too often."

5 **2. Howard & Foster Co. vs. Citizens National Bank**, 133 S.C. 202, 130 S.E. 758

6 (1926): "It has been settled beyond controversy that a national bank, under
7 Federal law, being limited in its power and capacity, cannot lend its credit by
8 nor guarantee the debt of another. All such contracts being entered into by its
9 officers are ultra vires and not binding upon the corporation."

10 **3. American Express Co. v. Citizens State Bank**, 181 Wis. 172, 194 NW 427

11 (1923): "Neither, as included in its powers not incidental to them, is it a part
12 of a bank's business to lend its credit."

13 **110. Procedural Requirements and Evidentiary Standards**: The requirement for
14 real party-in-interest prosecution is emphasized, along with rulings that affidavits
15 alone can establish a prima facie case. Courts have ruled that silence in the face of a
16 legal duty to respond can constitute fraud.

17 **1. Federal Rule of Civil Procedure 17(a)(1)**: "[A]n action must be prosecuted in
18 the name of the real party in interest."

19 **2. In re Jacobson**, 402 B.R. 359, 365-66 (Bankr. W.D. Wash. 2009): Emphasizes
20 that actions must be filed by the real party in interest.

21 **3. United States v. Kis**, 658 F.2d 526 (7th Cir. 1981): "Indeed, no more than
22 (affidavits) is necessary to make the prima facie case." Cert. denied, S. Ct.
23 (1982).

24 **4. U.S. v. Tweel**, 550 F.2d 297 (1977): "Silence can only be equated with fraud
25 where there is a legal or moral duty to speak or when an inquiry left
26 unanswered would be intentionally misleading."

27 **111. Contract and Consideration Principles**: If any part of a contract's
28 consideration is illegal, the entire promise becomes void. Courts have also

1 recognized the right to rescind contracts induced by false representations, even if
2 made innocently.

3 **1. Menominee River Co. v. Augustus Spies L & C Co.**, 147 Wis. 559 at p. 572; 132
4 NW 1118 (1912): "If any part of the consideration for a promise be illegal, or if
5 there are several considerations for an un-severable promise one of which is
6 illegal, the promise, whether written or oral, is wholly void, as it is impossible to
7 say what part or which one of the considerations induced the promise."

8 **XI. CAUSES OF ACTION**

9 **Count 1 - Quiet Title (28 U.S.C. § 2201; Cal. Civ. Proc. Code § 760.020)**

10 **Against All Defendants**

11 112.Plaintiff re-alleges and incorporates by reference all preceding paragraphs as
12 though fully set forth herein.

13 113.Plaintiff is the exclusive holder of both **lawful legal and equitable title** to
14 the real property located at **31990 Pasos Place, Temecula, California** (APN:
15 957-570-005), by virtue of recorded **Grant Deeds**:

- 16 • **Riverside County Recorder Doc. No. 2022-0490841**, dated December 5,
17 2022;
- 18 • **Riverside County Recorder Doc. No. 2024-0291980**, dated September 27,
19 2024.

20 114.Plaintiff's interest has been **further perfected** through duly recorded **UCC-1**
21 **Financing Statements** and **UCC-3 Amendments** with the **Nevada Secretary of**
22 **State**, establishing a **public, secured, first-position claim** on the subject property,
23 and vesting all superior claims under **UCC §§ 3-302, 3-305, and 3-306**.

24 115.Defendants **unlawfully** recorded a Trustee's Deed Upon Sale (Doc. No.
25 2025-0017386), which is void ab initio, having been executed:

- 26 • Without lawful authority, jurisdiction, or standing;
- 27 • In direct contradiction to the previously recorded title and secured interest;
- 28 • Based on no valid debt, default, or enforceable lien;

- With actual and constructive notice of Plaintiff's perfected interest.

116. As a matter of law, **a void instrument has no legal effect**, cannot convey title, and cannot serve as the basis for any lawful claim or defense. (See *Wutzke v. Bill Reid Painting Serv., Inc.*, 200 Cal. App. 3d 682 (1988); *Bank of America v. La Jolla Group II*, 129 Cal. App. 4th 706 (2005)). A trustee may only convey what it lawfully possesses. No title passes through fraud or simulated process.

117. The purported deed recorded by Defendants:

- **Creates a false cloud** on Plaintiff's valid title;
- Constitutes **slander of title, commercial fraud, and simulated legal process**;
- Invokes **private rights of action** under federal and state law for fraud, deprivation of property, and unauthorized commercial encroachment;
- Triggers **treble damages** under **Cal. Civil Code § 3346** and **Cal. Civ. Code § 3334**, where wrongful possession or injury to real property has occurred.

118. Defendants' failure to assert any valid rebuttal to Plaintiff's **Affidavits, Notices, or Conditional Acceptances**, and their continued use of void documents, constitute **bad faith, commercial dishonor, and estoppel by silence**.

119. Further, the doctrine of **laches** applies: Defendants' delayed assertions, filings, and abuse of judicial procedure were designed to frustrate adjudication and evade known superior claims. Their unreasonable delay, coupled with Plaintiff's substantial reliance and harm, bars any equitable claim or defense.

120. Plaintiff respectfully seeks:

- A **declaratory judgment** under 28 U.S.C. § 2201 that the Trustee's Deed Upon Sale (Doc. No. 2025-0017386) is **null and void**;
- An **order quieting title** in Plaintiff's favor against all adverse claims;

- 1 • A **permanent injunction** barring Defendants, their agents, and
- 2 successors from asserting or recording any claim to the subject
- 3 property;
- 4 • **Treble damages** pursuant to Cal. Civ. Code §§ 3346 and 3334 for
- 5 wrongful encroachment, slander of title, and fraudulent clouding of
- 6 title;
- 7 • **Costs of suit**, statutory damages, and **any other relief** this Court
- 8 deems just and proper in law or equity.

9 **Count 2 – Fraudulent Conveyance and Recordation**
10 **(Cal. Civ. Code § 1709; Cal. Civ. Code § 3346; 18 U.S.C. §§ 1341, 1343, 1962,**
11 **1964(c))**
12 **Against All Defendants**

13 121.Plaintiff realleges and incorporates by reference all preceding paragraphs as
14 though fully set forth herein.

15 122.Defendants knowingly, willfully, and maliciously **created, executed, and**
16 **recorded a false and fraudulent instrument**—specifically the **Trustee’s Deed Upon**
17 **Sale**, Document No. **2025-0017386**, recorded in the Official Records of Riverside
18 County—despite having:

- 19 • No lawful foreclosure authority;
- 20 • No legitimate debt obligation or default;
- 21 • No valid trustee appointment;
- 22 • No standing or chain of title to the subject property.

23 123.Said Trustee’s Deed is **void ab initio** and constitutes a **fraudulent**
24 **conveyance and simulated legal process**, executed for the explicit purpose of:

- 25 • Clouding and slandering Plaintiff’s perfected title;
- 26 • Misleading the public and third-party observers;
- 27 • Displacing the rightful private property holder and securing unlawful
- 28 possession;

- Obstructing lawful remedy, equity jurisdiction, and quiet title proceedings.

124. Defendants further utilized **U.S. mail** and **interstate wire communications**, including emails and electronic court filings, to transmit and disseminate the fraudulent Trustee's Deed and related instruments, constituting **Mail Fraud** under **18 U.S.C. § 1341** and **Wire Fraud** under **18 U.S.C. § 1343**.

125. These acts qualify as **predicate offenses** under the **Racketeer Influenced and Corrupt Organizations Act (RICO)**, **18 U.S.C. § 1961(1)**, and form part of a continuing pattern of racketeering activity designed to deprive Plaintiff of constitutionally and commercially protected property rights.

126. Plaintiff is therefore entitled to invoke the **private right of action** under **18 U.S.C. § 1964(c)**, which authorizes any person injured in their business or property by reason of a violation of § 1962 to bring suit for **treble damages**, costs of suit, and reasonable attorney's fees.

127. Pursuant to **Cal. Civ. Code § 1709**, any person who **willfully deceives another with intent to induce them to alter their position to their injury or risk**, is liable for all resulting damages. Here, Defendants' intentional deception was not only harmful, but calculated to disrupt adjudication, dispossess rightful title, and violate Plaintiff's lawful estate interest.

128. Under **Cal. Civ. Code § 3346** and **Cal. Code Civ. Proc. § 733**, wrongful injury to real property entitles the Plaintiff to **treble damages**, where the injury was willful, malicious, or fraudulent in nature — conditions clearly met by Defendants' acts.

129. Additionally, the doctrine of **laches** bars any equitable claim or defense by Defendants: they acted with unclean hands, engaged in bad faith, and unreasonably delayed while Plaintiff acted diligently to secure title, perfect filings, and assert remedy. Defendants' silence and misconduct have prejudiced Plaintiff and fatally undermine any purported equitable position they now seek to assert.

130. As a direct and proximate result of Defendants' unlawful actions, Plaintiff has suffered and continues to suffer:

- **Loss of quiet enjoyment and use** of property;
- **Loss of equitable and commercial value** of the estate interest;
- **Harm to reputation**, and exposure to unlawful enforcement threats;
- **Substantial financial injury**, time lost, and opportunity cost.

131. Plaintiff therefore respectfully demands:

- A finding that the Trustee's Deed Upon Sale is **null and void**;
- **Treble damages** under both **federal and California law**;
- **Permanent injunctive relief** barring Defendants from asserting or recording any interest in the subject property;
- **Statutory and compensatory damages**, including court costs;
- **Any additional relief** deemed just and proper in law and equity.

Count 3 – Slander of Title

(Cal. Civ. Code §§ 44, 46, 47; 18 U.S.C. §§ 1341, 1343, 1962, 1964)

Against All Defendants

132. Plaintiff hereby realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

133. Defendants, with actual and constructive knowledge of Plaintiff's perfected legal and equitable title – evidenced by duly recorded **Grant Deeds** (Riverside County Recorder Doc. Nos. **2022-0490841** and **2024-0291980**) and perfected **UCC-1 Financing Statements** and **UCC-3 Amendments** with the Nevada Secretary of State – willfully published, recorded, and transmitted **false and malicious statements of fact** designed to impugn, discredit, and cloud Plaintiff's rightful title.

134. These statements, filed in connection with a **facially void and unlawful Trustee's Deed Upon Sale** (Doc. No. **2025-0017386**), were knowingly untrue, legally unprivileged, and made **with actual malice**, in violation of **Cal. Civ. Code §§ 44, 46, and 47**, and relevant decisional

1 authority (see *Howard v. Schaniel*, 113 Cal. App. 3d 256 (1980); *Palmer v. City of*
2 *Long Beach*, 33 Cal.2d 134 (1948)).

3 135. Defendants' conduct constitutes **slander of title**, as they:

- 4 • Intentionally **recorded and published false claims** that the Plaintiff's title
- 5 was fraudulent or defective;
- 6 • Sought to **discourage third-party confidence** in Plaintiff's ownership and
- 7 disrupt contractual leasehold and administrative functions;
- 8 • Deliberately interfered with **beneficial enjoyment, management, and**
- 9 **lawful possession** of the property;
- 10 • Initiated a **pattern of simulated legal process** and fraudulent conveyance
- 11 activity intended to deprive Plaintiff of vested rights;
- 12 • Engaged in **fraudulent business practices** and made **commercially**
- 13 **defamatory statements** to third parties and public officials.

14 136. These defamatory actions were **part of a larger enterprise** of commercial
15 fraud, mail and wire fraud (18 U.S.C. §§ 1341, 1343), and **predicate acts under**
16 **RICO** (18 U.S.C. § 1962), giving rise to a **private right of action under 18 U.S.C. §**
17 **1964(c)** and subjecting Defendants to **treble damages** and attorney's fees.

18 137. Defendants' acts were not merely negligent—they were **willful, malicious,**
19 **oppressive, and fraudulent**, justifying an award of **punitive damages** under
20 **California Civil Code § 3294** and further amplified under federal RICO statutes.

21 138. Defendants are further barred by the doctrine of **laches**, having sat on
22 their alleged claims while Plaintiff lawfully recorded title and perfected
23 security interests. Their delay, combined with their knowledge and
24 participation in false filings, constitutes **equitable estoppel** and forfeiture of
25 any competing claim.

26 139. As a direct and proximate result of Defendants' conduct, Plaintiff has
27 suffered:

- 28 • **Irreparable injury to title, reputation, and economic position;**

- **Financial losses** due to interference with prospective contracts and beneficial property use;
- **Clouded title**, necessitating **judicial intervention to clear the record**;
- **Continuing harm**, requiring **injunctive relief and declaratory judgment**.

140. Plaintiff therefore demands:

- **General and special damages** in an amount to be proven at trial;
- **Treble damages** under 18 U.S.C. § 1964(c);
- **Punitive damages** pursuant to Cal. Civ. Code § 3294;
- **A permanent injunction** removing all cloud on title;
- **Title correction and recordation of judicial findings**;
- **Costs of suit**, including **reasonable attorney's fees** and court costs.

Count 4 – Racketeer Influenced and Corrupt Organizations Act (RICO)

Violations

(18 U.S.C. §§ 1962(c), 1964(c))

Against All Defendants

141. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

142. Defendants, individually and collectively, operated as an **association-in-fact enterprise** under 18 U.S.C. § 1961(4), engaging in a coordinated and continuing pattern of **racketeering activity** with the specific intent to **defraud, dispossess, obstruct, extort, and unlawfully convert** Plaintiff's real and equitable interests in the subject property.

143. Defendants committed multiple **predicate acts** within the meaning of 18 U.S.C. §§ 1961(1), 1962(c), including but not limited to:

- **Mail fraud** (18 U.S.C. § 1341): by transmitting fabricated legal documents, false claims of title, and deceptive instruments through the United States Postal Service for the purpose of misleading courts, public officials, tenants, and third parties.

- 1 • **Wire fraud** (18 U.S.C. § 1343): by using electronic communications to
2 disseminate, record, and transmit falsified deeds, legal threats, and coercive
3 communications simulating lawful authority, including communications
4 with county recorders and judicial officers.
- 5 • **Fraudulent conveyance and simulated legal process**: through the creation,
6 notarization, and recordation of a **facially void and legally null Trustee's**
7 **Deed Upon Sale** (Doc. No. 2025-0017386), despite having no lawful title,
8 standing, or foreclosure authority, thereby engaging in fraud upon the court.
- 9 • **Extortion and coercion**: by threatening Plaintiff with unlawful detainer
10 proceedings and physical dispossession based on knowingly void
11 instruments, creating a **pattern of simulated process**, in violation of
12 commercial and constitutional protections.
- 13 • **Theft and conversion**: by unlawfully collecting rents, profiting from
14 possession, and misappropriating secured real property interests that had
15 been **duly perfected and recorded** in favor of Plaintiff.
- 16 • **Interference with interstate commerce**: through unlawful activity affecting
17 real estate interests, administrative contracts, and economic relationships
18 across state lines, thereby implicating the jurisdictional reach of the federal
19 RICO statute.

20 144. This enterprise utilized **public resources and government systems** —
21 including the courts, the Recorder's Office, and the U.S. mail — for **private**
22 **fraudulent enrichment**, thereby corrupting lawful processes and **subverting due**
23 **process protections** guaranteed by the Fifth and Fourteenth Amendments.

24 145. Plaintiff has suffered direct, concrete, and substantial injuries to **property**,
25 **economic opportunity, and reputation** as a result of this racketeering scheme,
26 including:

- 27 • Loss of lawful possession and quiet enjoyment of real property;
- 28 • Damage to title and contractual relations with third parties;

- Irreparable harm to perfected security interests and administrative rights;
- Financial losses stemming from interference with leasing, investment, and beneficial use.

146. The harm suffered by Plaintiff was **proximately caused** by Defendants' coordinated and willful racketeering acts, and those harms are **redressable under civil RICO**. See *Sedima, S.P.R.L. v. Imrex Co.*, 473 U.S. 479 (1985) (holding that a plaintiff need only show injury to business or property and a pattern of racketeering activity to maintain a civil RICO claim).

147. Pursuant to **18 U.S.C. § 1964(c)**, Plaintiff hereby invokes the **private right of action** and demands:

- **Treble damages** for all compensable injuries;
- **Equitable relief**, including permanent injunctive relief enjoining further predicate acts;
- **Restitution of all economic and real property losses**;
- **Costs of suit**, including filing fees, expert fees, and
- **Reasonable attorneys' fees** as permitted by statute.

148. Defendants' actions are further barred under the equitable doctrine of **laches**, as Plaintiff's rights were publicly perfected well in advance of Defendants' misconduct, and any attempt by Defendants to assert competing claims after the fact is barred due to **unreasonable delay, bad faith, and unjust enrichment** at Plaintiff's expense.

Count 5 - Civil Rights Violations – Deprivation of Rights Under Color of Law (42 U.S.C. §§ 1983, 1988)
Against All Defendants

149. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

150. Defendants, acting individually and in concert, while **cloaked in false authority and under color of state law**, willfully deprived Plaintiff of rights,

1 privileges, and immunities secured by the Constitution and laws of the United
2 States. These violations include, but are not limited to:

- 3 • **Deprivation of property without due process of law**, in violation of the
4 **Fifth and Fourteenth Amendments**;
- 5 • **Denial of equal protection** under the law;
- 6 • **Interference with the right to contract, to own and control property**, and to
7 access lawful commercial remedy.

8 151. Defendants knowingly filed, used, and enforced a **facially void and legally**
9 **null Trustee's Deed Upon Sale**, fabricated "related case" designations to create
10 false nexus between unrelated matters, and initiated a **fraudulent cross-complaint**
11 – all while having **actual knowledge** of Plaintiff's superior and perfected legal and
12 equitable title, evidenced in the public record through recorded Grant Deeds and
13 perfected UCC-1 and UCC-3 Financing Statements.

14 152. These acts were taken without jurisdiction, without valid authority, and in
15 **flagrant disregard of constitutional safeguards**. Simulated legal processes,
16 fraudulent filings, and fabricated instruments were used to:

- 17 • Mislead public officials and the court;
- 18 • Dispossess Plaintiff from vested property rights;
- 19 • Obstruct judicial remedy and due process;
- 20 • Chilling Plaintiff's right to defend property claims in equity and law.

21 153. Under established law, **attorneys, private actors, and third parties may be**
22 **held liable under 42 U.S.C. § 1983** when they jointly engage in deprivation under
23 color of law, particularly where simulated legal authority, government agency
24 cooperation, or quasi-public instruments (e.g., Trustee's Deed) are involved. See
25 *Dennis v. Sparks*, 449 U.S. 24 (1980) (private individuals jointly engaged with state
26 officials in depriving constitutional rights are liable under § 1983).

27 154. As a direct and proximate result of Defendants' unlawful acts, Plaintiff has
28 suffered:

- **Loss of exclusive possession, administration, and use of private property;**
- **Irreparable harm to title,** remedy access, and secured rights;
- **Defamation of legal standing and capacity,** including chilling effect on equitable redress;
- **Emotional distress, reputational damage, and measurable economic loss.**

155. Defendants' conduct is further **barred under the doctrine of laches**, as Plaintiff's title and security interests were duly recorded and perfected prior to Defendants' actions. Any delay in asserting claims by Defendants constitutes **bad faith, prejudice, and inexcusable delay**, estopping them from contesting Plaintiff's standing or rights.

156. Pursuant to 42 U.S.C. § 1983, Plaintiff asserts a private right of action, and under 42 U.S.C. § 1988, demands:

- **Full compensatory damages** for property loss, reputational injury, and constitutional deprivation;
- **Punitive damages** due to the willful, malicious, and reckless nature of the misconduct;
- **Treble damages**, where available, through integration with civil RICO claims;
- **Injunctive relief** to bar Defendants from further acts of deprivation, fraud, or process abuse;
- **All costs of suit**, including filing fees and **reasonable attorneys' fees**.

157. Defendants acted **intentionally, maliciously, and in concert** to violate Plaintiff's clearly established rights. Their coordinated misconduct constitutes **textbook deprivation under color of law, simulated legal process, and abuse of public mechanisms for private gain** — requiring the **strongest civil penalties** and **equitable intervention** available under federal law.

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Count 6 - Conspiracy to Violate Civil Rights
(42 U.S.C. § 1985(3); 18 U.S.C. § 241)
Against All Defendants

158. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

159. Defendants knowingly and willfully formed an agreement to deprive Plaintiff of constitutionally and statutorily protected rights, engaging in a **civil conspiracy** to violate rights secured by the **Fifth and Fourteenth Amendments**, the **Uniform Commercial Code**, and federal civil rights statutes. This conspiracy was carried out in violation of **42 U.S.C. § 1985(3)** and **18 U.S.C. § 241**.

160. The unlawful agreement and overt acts were undertaken jointly and severally by **MARINAJ PROPERTIES LLC, Naji Doumit, Daniel Doumit, Mary Doumit**, and legal counsel, in pursuit of a common objective: to unlawfully divest Plaintiff of his **vested legal and equitable property rights**, obstruct commercial remedy, slander title, and interfere with secured interests.

161. The conspiracy was executed through coordinated and deliberate acts, including but not limited to:

- Filing and recording a **fraudulent and facially void Trustee's Deed Upon Sale**;
- Knowingly asserting false title claims despite **actual and constructive notice** of Plaintiff's perfected interest;
- Prosecuting a **fraudulent cross-complaint** based on no standing, no jurisdiction, and no authority;
- Filing a **knowingly false "Notice of Related Case"** in bad faith to derail or confuse the adjudication of title;
- **Ignoring and dishonoring** duly filed, **notarized affidavits of default, dishonor, and perfected liens**, now standing as un rebutted truth in commerce and equity.

1 162.This conspiracy was **not abstract or incidental** — it was executed **with**
2 **malice, in bad faith, and with clear animus** toward Plaintiff's **non-statutory,**
3 **private standing** and **perfected legal position** as real party in interest and secured
4 titleholder.

5 163.Defendants' conduct meets all elements of a civil conspiracy under **42 U.S.C. §**
6 **1985(3)**, as established in *Griffin v. Breckenridge*, 403 U.S. 88 (1971), which provides a federal
7 cause of action where "two or more persons conspire... for the purpose of depriving,
8 either directly or indirectly, any person... of the equal protection of the laws."

9 164.In furtherance of this unlawful conspiracy, Defendants leveraged public
10 courts, recorders' offices, mail and wire communication channels, and simulated
11 legal processes to:

- 12 • Obstruct and chill Plaintiff's access to legal remedy;
- 13 • Injure Plaintiff financially, reputationally, and administratively;
- 14 • Seize and convert property without lawful adjudication or authority.

15 165.Defendants' actions are further barred by the doctrine of **laches**. Plaintiff's
16 legal and commercial claims were recorded and perfected long before any adverse
17 acts by Defendants. Their failure to raise timely objections, combined with
18 intentional delay, prejudice, and bad faith, now estops them from asserting any
19 competing claim.

20 166.As a direct and proximate result of this conspiracy, Plaintiff has sustained:

- 21 • **Permanent and irreparable harm** to property rights, commercial advantage,
22 and lawful standing;
- 23 • **Trespass and attempted conversion** of real property;
- 24 • **Defamation, emotional distress, and fiduciary injury**;
- 25 • **Material damages** arising from obstruction, delay, and malicious litigation.

26 167.Plaintiff asserts a **private right of action** under **42 U.S.C. § 1985(3)** and
27 invokes supplemental civil enforcement under **18 U.S.C. § 241**, as predicate acts of
28 racketeering in violation of **18 U.S.C. § 1962(c)**.

168.Plaintiff demands the following relief:

- **Treble damages** pursuant to 18 U.S.C. § 1964(c);
- **Full compensatory and punitive damages** for all economic and non-economic injuries;
- **Declaratory and injunctive relief**, including quiet title confirmation, order nullifying fraudulent filings, and prohibition of further conspiratorial acts;
- **Attorneys' fees, costs of suit, and additional equitable relief** under 42 U.S.C. § 1988.

169.The conspiracy at issue constitutes a **coordinated, malicious attack on federally protected rights**, commercial remedy, and private property. The Defendants' concerted action is not merely tortious – it is **criminal in nature**, warrants **federal intervention**, and must be remedied by the **full force of constitutional, statutory, and equitable relief**.

Count 7 – Obstruction of Justice

(18 U.S.C. §§ 1503, 1512, 1519; 18 U.S.C. § 1962; 18 U.S.C. § 1964(c))

Against All Defendants

170.Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

171.Defendants, acting individually and in concert, knowingly and willfully engaged in a pattern of conduct intended to obstruct justice, interfere with judicial and administrative proceedings, falsify and conceal material facts, and suppress commercial and equitable remedy, all in violation of **18 U.S.C. § 1503** (influencing or injuring officers or proceedings), **§ 1512** (tampering with witnesses or evidence), and **§ 1519** (falsification or destruction of records in contemplation of litigation or investigation).

172.This obstruction was not incidental – it was a deliberate and malicious enterprise carried out through coordinated acts, including but not limited to:

- 1 • **Filing and prosecuting a knowingly defective, unverified, and baseless**
2 **Cross-Complaint**, lacking standing, authority, or lawful merit, with intent
3 to simulate process and confuse judicial proceedings;
- 4 • **Recording and relying upon a void, simulated Trustee's Deed Upon Sale**
5 (Riverside Doc. No. 2025-0017386), which Defendants knew to be facially
6 fraudulent and contrary to the public record of perfected title;
- 7 • **Submitting a false "Notice of Related Case"** to the Superior Court in bad
8 faith to improperly join unrelated litigation and obstruct adjudication of
9 Plaintiff's perfected title claim;
- 10 • **Suppressing and refusing to answer duly served administrative affidavits**
11 **of truth, commercial default, and certificates of dishonor**, in breach of
12 commercial procedure and equity;
- 13 • **Engaging in procedural sabotage**, harassing communications, and litigation
14 tactics designed to chill Plaintiff's lawful access to remedy and displace
15 vested, recorded interests.

16 173. Defendants executed these acts **with actual knowledge** of Plaintiff's duly
17 recorded and perfected title, as evidenced by Grant Deeds (Doc. Nos. 2022-0490841 and
18 2024-0291980), UCC-1 and UCC-3 filings, and un rebutted affidavits and settlement
19 offers — all of which remain un rebutted and legally binding by operation of law.

20 174. These obstructive acts were designed and intended to:

- 21 • **Delay, derail, and sabotage** the lawful quiet title adjudication and
22 commercial enforcement process;
- 23 • **Deprive Plaintiff of judicial access, remedy, and due process** in both
24 administrative and judicial venues;
- 25 • **Illegally retain control and possession of trust property** without legal
26 interest, standing, or jurisdiction;
- 27 • **Interfere with ongoing fiduciary duties and administration** of the estate,
28 causing further commercial harm.

175. Defendants' actions constitute a **pattern of racketeering activity** under 18 U.S.C. § 1961(1) and § 1962(c), using obstruction as a racketeering predicate under civil RICO, thereby giving rise to a **private right of action** under 18 U.S.C. § 1964(c).

176. Defendants are further barred by the doctrine of **laches**. Plaintiff's interests were perfected long before any act by Defendants, and Defendants' unreasonable delay, combined with prejudicial action taken in bad faith, estops them from asserting any contrary position.

177. As a direct and proximate result of the Defendants' conspiracy to obstruct justice, Plaintiff has suffered:

- **Significant delays in quiet title adjudication and commercial enforcement;**
- **Reputational damage and procedural prejudice;**
- **Fiduciary losses and economic injury** tied to unlawful interference with secured and titled property;
- **Deprivation of due process and equal protection** under color of law and simulated judicial process.

178. Plaintiff therefore seeks the following relief:

- **Full compensatory damages** for financial loss, commercial disruption, and fiduciary interference;
- **Punitive damages** for willful, malicious, and constitutionally offensive conduct;
- **Treble damages** under 18 U.S.C. § 1964(c) for obstruction in furtherance of racketeering;
- **Permanent injunctive and declaratory relief**, including the invalidation of all instruments filed in furtherance of obstruction;
- **Costs of suit and attorneys' fees** under applicable federal law.

179. The conduct at issue is not only civilly sanctionable — it is **criminal in character**, an affront to the rule of law, and an **intolerable assault on due process**,

1 **commercial rights, and judicial integrity.** The Court is fully vested with
2 jurisdiction and equitable authority to halt this misconduct and impose all available
3 remedies to rectify the damage caused.

4 **Count 8 – Mail and Wire Fraud**
5 **(18 U.S.C. §§ 1341, 1343; 18 U.S.C. § 1962(c); 18 U.S.C. § 1964(c))**
6 **Against All Defendants**

7 180.Plaintiff realleges and incorporates by reference all preceding paragraphs as
8 though fully set forth herein.

9 181.Defendants, operating in concert and with shared malicious intent,
10 willfully and knowingly engaged in a fraudulent scheme to dispossess
11 Plaintiff of real property and to slander, obstruct, and commercially injure
12 Plaintiff's perfected legal and equitable interests. In furtherance of this
13 scheme, Defendants utilized the United States mail and interstate wire
14 communications in violation of **18 U.S.C. § 1341 (mail fraud)** and **18 U.S.C. §**
15 **1343 (wire fraud).**

16 182.This fraudulent scheme included, without limitation:

- 17 • Mailing, recording, and transmitting a **facially void Trustee's**
18 **Deed Upon Sale** (Riverside County Doc. No. 2025-0017386),
19 despite full knowledge that title was previously vested in Plaintiff
20 through **recorded Grant Deeds** and **perfected UCC Financing**
21 **Statements;**
- 22 • Electronically submitting **false and defective court pleadings**, including a
23 **fraudulent Cross-Complaint** and a **deceptive "Notice of Related Case"**,
24 with intent to confuse the court, simulate legal authority, and undermine
25 Plaintiff's equitable claim;
- 26 • Disseminating **material misrepresentations** regarding ownership, authority,
27 and standing – both to judicial officers and third parties – through email,
28 electronic filings, and postal service;

- Misusing legal counsel and court systems to **simulate process** and to perpetrate falsehoods, fraud, and delay through mailed and electronically filed instruments, all in furtherance of a coordinated enterprise.

183. Each act of mailing or electronic transmission undertaken in support of this fraudulent scheme constitutes a **separate predicate offense** under **RICO**, forming a **pattern of racketeering activity** as defined under **18 U.S.C. § 1961(1)** and actionable under **§ 1962(c)**.

184. Defendants acted with **actual and constructive knowledge** of Plaintiff's perfected title and security interest. Their intent was unequivocally fraudulent and malicious — executed to:

- **Defraud the public record** and simulate authority that did not exist;
- **Interfere with and delay judicial and commercial remedy;**
- **Strip Plaintiff of property rights and fiduciary control;**
- **Cloud title and interfere with trust administration and enforcement.**

185. The delay and disruption caused by Defendants' conduct triggers the **doctrine of laches**, as Defendants acted with unreasonable delay and inequitable conduct, knowing Plaintiff's perfected rights had been of public record since 2022. Their continued reliance on fabricated filings is barred by equity.

186. As a **direct and proximate result** of these unlawful acts, Plaintiff has suffered:

- **Severe commercial and fiduciary injury**, including the chilling of contract enforcement and interference with trust-held leaseholds;
- **Slander of title**, reputational harm, and interference with business expectancy;
- **Substantial legal expense**, disruption of estate administration, and deprivation of constitutional rights.

187. Plaintiff asserts a **private right of action** under **18 U.S.C. § 1964(c)** and demands the following remedies:

- **Compensatory and punitive damages** in amounts to be proven at trial;
- **Treble damages** pursuant to **RICO**, for racketeering conduct involving mail and wire fraud;
- **Permanent injunctive and declaratory relief**, including cancellation and nullification of all instruments and filings generated in furtherance of the fraud;
- **Attorneys' fees and full costs of suit**, as authorized by statute and equity.

188. The conduct alleged herein does not represent mere civil impropriety – it constitutes an orchestrated and malicious **criminal enterprise** designed to subvert public institutions, dispossess lawful titleholders, and weaponize judicial systems against the rightful owner. This Court is vested with both jurisdiction and constitutional duty to remedy the fraud in its entirety.

Count 9 – Forgery and Falsification of Public Records
(18 U.S.C. § 1001; Cal. Penal Code §§ 115, 470; 18 U.S.C. §§ 1962(c), 1964(c))
Against All Defendants

189. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

190. Defendants, acting in concert as part of a deliberate and fraudulent enterprise, knowingly **created, altered, and caused to be recorded false public instruments**, including but not limited to the **fraudulent Trustee's Deed Upon Sale** (Riverside County Recorder Doc. No. 2025-0017386), with intent to:

- Misrepresent legal title;
- Deceive public officers, courts, and third parties;
- Obstruct justice and quiet title remedy;
- Cloud and convert real property already lawfully secured and perfected by Plaintiff.

191. At the time of these fraudulent acts, Defendants had **actual and constructive notice** that Plaintiff held **lawful and perfected title**, evidenced by recorded **Grant**

1 **Deeds (Doc. Nos. 2022-0490841 and 2024-0291980) and UCC Financing Statements**
2 duly filed with the Nevada Secretary of State.

3 192.The purported Trustee's Deed was recorded **after Plaintiff's title had vested**
4 and **without authority, jurisdiction, or foreclosure power**, rendering it **void ab**
5 **initio** as a matter of law. The deed is not merely voidable — it is legally nonexistent
6 and incapable of conveying any interest.

7 193.Defendants' conduct constitutes multiple felonies and statutory violations,
8 including:

- 9 • **Forgery** under **California Penal Code § 470**, for knowingly signing, filing,
10 or altering documents with intent to defraud or cause damage;
- 11 • **Filing a false instrument** with a public office under **California Penal Code**
12 **§ 115**, a felony punishable by up to three years in state prison;
- 13 • **Knowingly falsifying material facts** in a matter within the jurisdiction of
14 the United States government, under **18 U.S.C. § 1001**;
- 15 • **Racketeering activity** under **18 U.S.C. § 1962(c)**, by virtue of these
16 predicate acts, and giving rise to civil enforcement under **18 U.S.C. §**
17 **1964(c)**.

18 194.These acts were **not isolated**, but part of a **systematic campaign to seize real**
19 **estate under false pretenses**, interfere with fiduciary rights, defame secured
20 parties, and exploit the public recording system to give the illusion of legitimacy.

21 195.This campaign further included:

- 22 • Recording **simulated legal documents** and forged instruments;
- 23 • **Manipulating judicial process** through knowingly fraudulent pleadings;
- 24 • **Disregarding laches**, where Defendants acted with full knowledge of
25 Plaintiff's prior, perfected rights and unreasonably delayed action in bad
26 faith to gain unjust advantage.

27 196.As a **direct and proximate result** of Defendants' criminal and civil
28 misconduct, Plaintiff has suffered:

- **Substantial damage to title and reputation**, impairing his ability to manage and convey trust property;
- **Economic loss**, including loss of beneficial use, income, equity, and quiet enjoyment;
- **Legal and fiduciary expense**, incurred to defend against false claims and restore lawful title.

197. Pursuant to **18 U.S.C. § 1964(c)** and applicable California statutes, Plaintiff seeks:

- **Treble damages**, as authorized by RICO for predicate forgery and fraud;
- **Compensatory and statutory damages**, including those under Cal. Pen. Code §§ 115, 470;
- **Voidance and expungement of all forged instruments** from the public record;
- **Permanent injunction** restraining Defendants from further misuse of county recording systems or simulated legal process;
- **Attorneys' fees**, expert costs, and full legal expenses incurred in pursuit of remedy and correction.

198. The Defendants' conduct constitutes a **direct assault on the integrity of the public trust, the recording system, and the rule of law**. Such flagrant and repeated abuse of process warrants full and decisive remedy through every available federal and state enforcement mechanism.

Count 10 – False Claims and Use of False Pretenses in Judicial Process
(18 U.S.C. §§ 287, 1001, 1341, 1343; Cal. Penal Code §§ 118, 132, 134; 18 U.S.C. § 1964(c))
Against All Defendants

199. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

200. Defendants, jointly and severally, knowingly and willfully filed, presented, and prosecuted false claims and fabricated legal instruments before judicial tribunals and public recorders for the purpose of:

- Simulating lawful authority where none existed;
- Deceiving judicial officers and county recorders;
- Obstructing Plaintiff's equitable claims and perfected security interests;
- Usurping possession and title to real property held in trust and lawfully secured.

201. These acts included but were not limited to:

- **Filing a knowingly fraudulent Cross-Complaint** against private non-statutory trust entities with no lawful nexus to the allegations or legal capacity to be sued;
- **Submitting a fabricated "Notice of Related Case"**, with intent to manipulate court assignment, simulate relevance, and confuse jurisdiction;
- **Recording and litigating false instruments**, including a facially void Trustee's Deed Upon Sale, with full knowledge of prior perfected title vested in Plaintiff;
- **Misrepresenting foreclosure authority, standing, and ownership** in pleadings, while simultaneously ignoring or concealing public evidence to the contrary.

202. Defendants' conduct constitutes clear and repeated violations of law, including:

- **Presenting false claims to a government body** under 18 U.S.C. § 287;
- **Filing and using false documents and statements** before courts and agencies under 18 U.S.C. § 1001;
- **Executing a scheme to defraud via U.S. mail and electronic communications** under 18 U.S.C. §§ 1341 and 1343 (Mail and Wire Fraud);
- **Perjury**, under California Penal Code § 118;

- 1 • **Preparation and presentation of false evidence** under California Penal
- 2 **Code §§ 132 and 134**, which render such acts felonies;
- 3 • **Racketeering activity** under 18 U.S.C. § 1962(c), giving rise to a **private**
- 4 **civil right of action** under 18 U.S.C. § 1964(c).

5 203. Moreover, the Defendants **unreasonably delayed asserting their alleged**
6 **claims** until after Plaintiff had perfected title, in violation of the doctrine of
7 **laches**, which bars their claims due to undue delay, bad faith, and resulting
8 prejudice.

9 204. The acts committed by Defendants represent a **textbook abuse of process**,
10 intended to simulate lawful court proceedings, cause confusion, and mislead public
11 officials, all while operating under color of authority but lacking lawful jurisdiction
12 or standing.

13 205. As a direct and proximate result of Defendants' unlawful and malicious
14 conduct, Plaintiff has suffered:

- 15 • **Loss of property, income, and fiduciary control** over trust assets;
- 16 • **Severe reputational and legal title damage**;
- 17 • **Deprivation of access to court remedy and obstruction of judicial equity**;
- 18 • **Emotional and economic harm**, including litigation expense, disruption of
- 19 commercial relations, and stress.

20 206. Plaintiff asserts a **private right of action** under 18 U.S.C. § 1964(c) and
21 demands the following relief:

- 22 • **Treble damages** as authorized by RICO for predicate acts of mail fraud,
- 23 wire fraud, and false claims;
- 24 • **Compensatory and punitive damages** for defamation of title, economic
- 25 loss, and malicious abuse of court process;
- 26 • **Declaratory and injunctive relief**, including:
 - 27 ○ Expungement of all false claims and instruments from court and county
 - 28 records;

- Permanent injunction against further filings or claims by Defendants involving the subject property;
- **Attorneys' fees, costs of suit, expert witness fees,** and all further relief the Court deems just and proper.

207. Defendants' actions were not simply negligent or mistaken — they were calculated, deliberate, and malicious, amounting to fraud on the court, constructive fraud on the public record, and conspiracy to obstruct rightful remedy. These acts demand full judicial review, maximum damages, and permanent equitable remedy.

Count 11 – Civil Conspiracy and Aiding and Abetting Liability
(18 U.S.C. § 2; 18 U.S.C. §§ 1962(d), 241; 42 U.S.C. §§ 1983, 1985(3); Cal. Civ.
Code §§ 1709, 1710)
Against All Defendants

208. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

209. Defendants, each knowingly and willfully, entered into a coordinated agreement — explicit or tacit — to defraud, injure, and deprive Plaintiff of his constitutional rights, vested commercial interests, and real property, in direct violation of federal civil rights law, California tort law, and the Racketeer Influenced and Corrupt Organizations Act (RICO).

210. This conspiracy was carried out through a deliberate and continuous pattern of racketeering and commercial fraud, including but not limited to:

- The fabrication, execution, and recordation of a **facially void and fraudulent Trustee's Deed Upon Sale** (Doc. No. 2025-0017386), recorded after legal and equitable title had vested in Plaintiff;
- The filing of a **knowingly defective and unverified Cross-Complaint**, used to simulate legal authority and shift liability;

- 1 • **Misappropriation of Plaintiff's legal identity**, including the unauthorized
2 use of stylized names to simulate standing and bypass real party in interest
3 doctrines;
- 4 • Submission of a **fraudulent "Notice of Related Case"**, designed to mislead
5 the judiciary and improperly consolidate unrelated litigation;
- 6 • **Systematic communications, filings, and coordination** between
7 Defendants, their agents, and legal counsel, all used to conceal the unlawful
8 enterprise and shield participants from accountability.

9 211. Each Defendant either **directly participated** in the conspiracy or **aided and**
10 **abetted** its execution, in violation of:

- 11 • **18 U.S.C. § 2** – Aiding and abetting criminal acts;
- 12 • **18 U.S.C. § 1962(d)** – Conspiracy to violate civil RICO;
- 13 • **18 U.S.C. § 241** – Conspiracy against rights;
- 14 • **42 U.S.C. § 1983** – Civil action for deprivation under color of law;
- 15 • **42 U.S.C. § 1985(3)** – Conspiracy to deprive equal protection and due
16 process;
- 17 • **California Civil Code §§ 1709 and 1710** – Fraudulent misrepresentation and
18 concealment;
- 19 • **Common law tort** – Civil conspiracy and vicarious liability through
20 concerted action.

21 212. Defendants' conduct also constitutes **fraud on the court**, perjury by
22 omission, and **simulated legal process**. Attorneys involved violated their duties
23 under **Rule 8.4 of the California Rules of Professional Conduct** by knowingly
24 advancing false claims and simulated jurisdiction.

25 213. Under well-established law, each co-conspirator is **jointly and severally**
26 **liable** for the full extent of damages caused by the acts of every other participant in
27 furtherance of the unlawful agreement. *See Wyatt v. Cole*, 504 U.S. 158 (1992); *Kittle*
28 *v. City of Oakland*, 202 Cal. App. 2d 805 (1962).

214. Additionally, Defendants' claims and filings are barred by the equitable doctrine of **laches**, as Plaintiff's superior title had already been perfected in the public record for months prior to their interference, and Defendants failed to timely assert any valid counterclaim or challenge, thereby waiving any presumption of right or standing.

215. As a direct and proximate result of this conspiracy, Plaintiff has suffered:

- **Irreparable interference with real and equitable title;**
- **Destruction of fiduciary structure** and administrative rights to the trust estate;
- **Loss of commercial use, income, and quiet enjoyment** of the property;
- **Emotional, reputational, and economic injury**, including attorney's fees, time loss, and procedural sabotage.

216. Pursuant to **18 U.S.C. § 1964(c)** and **42 U.S.C. §§ 1983, 1985**, Plaintiff asserts a private right of action and demands:

- **Treble damages** for racketeering acts and conspiratorial injury;
- **Compensatory and punitive damages** for malicious and intentional conduct;
- **Permanent injunctive relief** barring Defendants from recording, asserting, or litigating any future claims against the subject property;
- **Declaratory relief** confirming the nullity of all instruments created or filed in furtherance of the conspiracy;
- **Attorneys' fees, expert witness costs, and full litigation expenses** as permitted under **42 U.S.C. § 1988** and **Cal. Civ. Code § 3294**.

217. The **deliberate nature, coordinated scope, and systemic impact** of this conspiracy demands the full weight of judicial enforcement. Defendants' actions represent **not merely a civil wrong, but a willful and malignant abuse of law, equity, and judicial process** designed to dispossess, defame, and disenfranchise Plaintiff of lawfully perfected rights.

Count 12 – Federal Trademark Infringement, Dilution, and Commercial Identity Misappropriation

(15 U.S.C. §§ 1114, 1125(a), 1125(c); Cal. Bus. & Prof. Code § 14247; Cal. Civ. Code § 3344; UCC §§ 1-103, 1-308)

Against All Defendants

218. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

219. Defendants, without consent, license, authority, or lawful justification, knowingly and willfully used, appropriated, and publicly disseminated Plaintiff's registered, copyrighted, and protected trade names and identity markers, including but not limited to:

- **™KEVIN WALKER©**
- **™DONNABELLE MORTEL©**
- Any related stylized or derivative use tied to Plaintiff's trust estate or private property interests.

220. These names and estate identifiers were previously established as **secured commercial marks** under **common law**, **private copyright notice**, and **filed UCC security agreements**, as evidenced by certified notices, prior commercial filings, and un rebutted affidavits in the record. See Exhibits R and U.

221. Despite **constructive and actual notice**, Defendants continued to misuse these marks in:

- Court pleadings and filings;
- Allegedly related case notices;
- Cross-Complaints and public record documents;
- Instruments purporting to bind Plaintiff and simulate liability under statutory or trust-related pretenses.

222. Defendants' intent was deliberate, malicious, and conspiratorial. The purpose of the unauthorized use was to:

- 1 • **Hijack private identity and trust estate standing;**
- 2 • **Confuse judicial officers** and third parties into believing Plaintiff was a
- 3 corporate fiction or statutory entity;
- 4 • **Misappropriate commercial value** of name estates secured through private
- 5 contracts;
- 6 • **Chill Plaintiff's ability to enforce commercial remedies and property**
- 7 **rights;**
- 8 • **Simulate legal process through impersonation and unauthorized**
- 9 **standing.**

10 223. These acts constitute multiple violations of federal and state law, including:

- 11 • **Federal trademark infringement** – 15 U.S.C. § 1114;
- 12 • **False designation of origin and unfair competition** – 15 U.S.C. § 1125(a);
- 13 • **Trademark dilution by blurring and tarnishment** – 15 U.S.C. § 1125(c);
- 14 • **California statutory trademark dilution** – Cal. Bus. & Prof. Code § 14247;
- 15 • **Commercial misappropriation of identity** – Cal. Civ. Code § 3344;
- 16 • **Fraudulent misrepresentation and deceit** – Cal. Civ. Code §§ 1709–
- 17 1710;
- 18 • **Violation of Uniform Commercial Code principles** – UCC §§ 1-103, 1-308
- 19 (preservation of rights and remedy for commercial injury).

20 224. Furthermore, **each unauthorized use of a protected trade name** constitutes a

21 **separate and enforceable act of infringement**, triggering **liquidated damages of**

22 **\$1,000,000.00 per violation** as per binding commercial terms and security

23 agreements lawfully recorded and un rebutted by Defendants.

24 225. As of the date of this filing, Plaintiff has identified **at least twelve (12) such**

25 **violations**, equating to not less than **\$12,000,000.00 in liquidated commercial**

26 **damages**, exclusive of punitive, treble, or statutory enhancements.

27 226. Defendants' unauthorized actions are also **barred by laches**, as Plaintiff's

28 exclusive ownership and commercial reservation of said names were properly filed

1 and recorded long before Defendants' infringing acts. Defendants failed to timely
2 contest these notices, thereby waiving any presumption of good faith or colorable
3 claim of usage.

4 227.As a direct and proximate result, Plaintiff has suffered:

- 5 • **Reputational harm and dilution of brand identity;**
- 6 • **Loss of goodwill, commercial trust, and standing in court;**
- 7 • **Damage to fiduciary estate administration and equitable property rights;**
- 8 • **Emotional distress and impairment of business activities.**

9 228.Plaintiff asserts a **private right of action** and seeks relief under **15 U.S.C. §**
10 **1117** and **California law**, including:

- 11 • **Treble damages** as provided under 15 U.S.C. § 1117(b) for willful
12 infringement;
- 13 • **Statutory damages up to \$2,000,000 per mark, per use** under 15 U.S.C. §
14 1117(c);
- 15 • **Permanent injunctive relief** pursuant to 15 U.S.C. § 1116 to restrain
16 Defendants from any further use, filing, publication, or litigation involving
17 Plaintiff's protected names;
- 18 • **Disgorgement of all profits** obtained through the unauthorized and
19 fraudulent use of Plaintiff's marks;
- 20 • **Restitution, attorneys' fees, expert witness fees, and all legal costs**
21 **incurred.**

22 229.Defendants' conduct is not only unlawful but **contemptuous of Plaintiff's**
23 **private status, commercial autonomy, and legal identity.** It represents an
24 egregious form of identity theft, commercial sabotage, and willful infringement of
25 secured private rights under federal and state jurisdiction.

26 //

27 //

28 //

Count 13 – Commercial Fraud and Constructive Fraud
(Cal. Civ. Code §§ 1572, 1573, 1709–1710; UCC §§ 1-103, 1-201, 3-505; Federal
Common Law of Contracts and Equity)
Against All Defendants

230. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

231. Defendants, jointly and severally, **knowingly, willfully, and maliciously engaged in commercial fraud, constructive fraud, and deceit**, through a sustained pattern of dishonor, concealment, and material misrepresentation, with the intent to impair, convert, and unlawfully seize trust-held real property, secured interests, and equitable rights held by Plaintiff and/or the secured private trust estate.

232. The fraudulent acts include, but are not limited to:

- **Recording and relying on a knowingly void Trustee's Deed Upon Sale** that lacked any lawful foreclosure authority and was issued long after Plaintiff's vested title and perfected security interest had been recorded;
- **Filing false pleadings**, including a fraudulent Cross-Complaint, to simulate controversy, obstruct adjudication, and cloud lawful title;
- **Simulating legal process** by invoking fictitious standing, unverified instruments, and procedurally defective "Notices of Related Case" to deceive the court and derail equitable resolution;
- **Refusing to respond to or rebut verified affidavits, presentments, and notices of default and dishonor**, which stand as **self-executing commercial facts under UCC § 3-505 and § 1-201(b)(20)**.

233. Defendants' conduct constitutes:

- **Actual fraud under Cal. Civ. Code § 1572**, by knowingly asserting false representations, suppressing material facts, and causing injury through deceit;

- 1 • **Constructive fraud** under Cal. Civ. Code § 1573, by violating duties of good
2 faith, fair dealing, and equity owed to Plaintiff as a party with recorded
3 interest;
- 4 • **Intentional misrepresentation and concealment** under Cal. Civ. Code §§
5 **1709–1710**, constituting actionable tortious conduct;
- 6 • **Commercial fraud and dishonor** under UCC §§ **1-103, 1-201(b)(20), and**
7 **3-505**, for failing to discharge obligations and respond in good faith to
8 commercial claims and negotiable instruments;
- 9 • **Violation of the Federal Common Law of Contracts and Equity**, for
10 obstructing remedy, breaching fiduciary duties, and perpetrating
11 commercial deceit.

12 234. These acts were executed:

- 13 • **With actual and constructive knowledge** of Plaintiff's perfected interest
14 and commercial status;
- 15 • **In coordinated fashion**, involving attorneys, agents, and third-party
16 recorders acting in knowing complicity;
- 17 • **To simulate lawful process** where none existed, and to intentionally
18 damage Plaintiff's quiet title, trust corpus, and fiduciary integrity.

19 235. The **doctrine of laches** bars any claim or defense by Defendants to the
20 contrary, as Plaintiff's perfected interest was publicly recorded, constructively
21 served, and un rebutted, with Defendants failing to timely assert any lawful or
22 equitable interest.

23 236. As a direct and proximate result, Plaintiff and/or the Secured Parties have
24 sustained:

- 25 • **Destruction of trust administration and contractual governance;**
- 26 • **Slander of title and reputation in both private and commercial capacities;**
- 27 • **Loss of beneficial use, income, and quiet enjoyment** of secured real
28 property;

- **Extraordinary fiduciary, administrative, and litigation costs** incurred in defense of fraudulent claims;
- **Irreparable harm to secured standing**, warranting immediate and permanent remedy.

237. Accordingly, Plaintiff demands full commercial and equitable relief, including:

- **Treble damages** under applicable statutes and equity;
- **Restitution, disgorgement**, and forfeiture of all profits or benefits derived from the fraud;
- **Nullification and voidance** of all false claims, simulated legal documents, and forged instruments;
- **Enforcement of un rebutted notices, affidavits, and certificates of default** under UCC § 3-505 as final, binding, and commercially conclusive;
- **Injunctive and declaratory relief**, including removal of any cloud on title and bar against future misconduct;
- **Attorneys' fees, commercial enforcement costs, expert witness fees**, and any additional remedy as deemed just.

238. Defendants' actions are not merely incidental errors or procedural oversteps. They constitute an orchestrated and malicious scheme to execute commercial theft through litigation fraud and simulated public process. Such behavior demands severe judicial rebuke, maximum statutory penalties, and comprehensive equitable remedy.

Count 14 – Unfair and Deceptive Business Practices
(Cal. Bus. & Prof. Code § 17200 et seq.; Federal Common Law; UCC § 1-103;
Lanham Act § 43(a), 15 U.S.C. § 1125; Supplemental Jurisdiction under 28
U.S.C. § 1367)

Against All Defendants

239. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

240. Defendants, acting individually and in concert, have willfully engaged in **unlawful, unfair, and fraudulent business practices** within the meaning of **California Business and Professions Code § 17200 et seq. ("UCL")**, the **Lanham Act**, the **Uniform Commercial Code**, and **federal common law**, by abusing judicial process and misusing commercial instruments to simulate ownership, falsify authority, and interfere with Plaintiff's secured trust interests and private property rights.

241. The pattern of conduct includes, but is not limited to:

- **Recording a knowingly fraudulent and facially void Trustee's Deed Upon Sale**, despite the prior perfected legal and equitable title held by Plaintiff;
- **Filing meritless, procedurally defective pleadings**, including an unverified Cross-Complaint and a fraudulent "Notice of Related Case," intended to confuse jurisdiction and delay rightful adjudication;
- **Misappropriating Plaintiff's private and trademarked name estate**, including the unauthorized use of "™KEVIN WALKER©" and "™DONNABELLE MORTEL©" for unlawful commercial purposes;
- **Failing to rebut or respond in good faith** to Plaintiff's verified conditional acceptances, administrative affidavits, and notices of dishonor, thereby invoking **commercial estoppel under UCC § 3-505**;
- **Engaging in calculated acts of coercion, harassment, and deception**, including slander of title, misuse of court process, and simulation of legal authority, all while attempting to cloud and encumber Plaintiff's trust property for economic leverage.

242. These acts constitute:

- **Unlawful practices**, in violation of:
 - **Cal. Civ. Code §§ 44, 47** (slander of title and defamation),

- **Cal. Civ. Code § 1572** (actual fraud),
- **UCC §§ 1-308 and 3-505** (reservation of rights and dishonor),
- **15 U.S.C. § 1125(a)** (false designation of origin and unfair competition);
- **Unfair practices**, by violating standards of fair dealing, fiduciary responsibility, and ethical obligations under trust law, commercial contracts, and court rules;
- **Fraudulent practices**, through misrepresentations, concealment, and simulated legal process, calculated to deceive Plaintiff, the judiciary, public offices, and third parties.

243. The **Defendants' conduct was willful, egregious, and malicious**, executed with actual and constructive knowledge of Plaintiff's secured status, prior perfected filings, and exclusive beneficial interest in the subject property.

244. The **doctrine of laches** bars any contrary claim or assertion of right by Defendants. Their failure to timely rebut perfected notices, affidavits, and trust filings—coupled with their bad faith conduct—waives any equitable defense or standing.

245. As a direct and proximate result, Plaintiff has suffered:

- **Interference with trust administration, secured interests, and equitable title;**
- **Loss of rents, commercial opportunity, and income** generated by the trust property;
- **Slander of title and public defamation**, damaging reputation and private standing;
- **Emotional distress, fiduciary strain, and legal expense**, arising from the need to defend against simulated process and fraudulent claims;
- **Destruction of private commercial relations and investor confidence.**

246. Pursuant to **Cal. Bus. & Prof. Code § 17204**, **15 U.S.C. § 1125(a)**, and **applicable UCC remedies**, Plaintiff asserts a **private right of action** and demands the following relief:

- **Treble damages** pursuant to **Lanham Act § 1117** and equitable statutes;
- **Restitution, disgorgement**, and forfeiture of all unlawful gains;
- **Permanent injunctive relief** barring further unauthorized use of Plaintiff's name estate, trust identifiers, or secured assets;
- **Nullification of all filings, pleadings, and instruments** recorded or filed in furtherance of the fraudulent scheme;
- **Attorneys' fees, court costs, administrative expenses**, and any other relief deemed just and proper in law and equity.

247. This Court has **supplemental jurisdiction under 28 U.S.C. § 1367**, as these claims arise from the **same nucleus of operative facts** underlying Plaintiff's federal RICO, mail fraud, obstruction, and civil rights claims. The acts complained of here are not isolated — they are part of an **integrated fraudulent enterprise** masquerading as lawful business conduct.

248. The nature, extent, and coordination of Defendants' behavior constitute a **malicious assault on the integrity of commerce, title, and the judicial process itself**. Full commercial, statutory, and equitable remedy is necessary to redress the damage inflicted and to deter future misconduct by these or similarly situated actors.

Count 15 – Deprivation of Property Without Due Process of Law
(U.S. Const. amend. V & XIV; 42 U.S.C. § 1983; U.S. Const. art. I, § 10; art. IV, § 2; 18 U.S.C. § 1964(c); Laches Doctrine)
Against All Defendants

249. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

250. Defendants, both individually and acting in concert, knowingly and willfully deprived Plaintiff of vested real property rights without lawful judicial process, in violation of the Fifth and Fourteenth Amendments to the U.S. Constitution and actionable under 42 U.S.C. § 1983.

1 251. These constitutional violations were perpetrated **under color of law, false**
2 **process, and simulated judicial authority**, and were furthered through private
3 collusion among attorneys, title agents, and fictitious entities. The objective was to
4 unlawfully seize, cloud, and control private property in blatant disregard of due
5 process, equity, and the supremacy of perfected title.

6 252. Specifically, Defendants:

- 7 • Executed and recorded a **void and fraudulent Trustee's Deed Upon Sale**
8 **(Doc. #2025-0017386)**, with full knowledge that Plaintiff's title was
9 previously **perfected by Grant Deed and UCC lien**, thereby simulating a
10 legal transfer where none lawfully occurred;
- 11 • Filed and maintained a **knowingly defective Cross-Complaint** without
12 standing, verified foundation, or statutory authority — amounting to false
13 process, fraudulent misrepresentation, and simulated litigation;
- 14 • Created a fraudulent "Notice of Related Case" solely to derail proper
15 adjudication, poison the judicial record, and bypass equitable proceedings
16 already pending;
- 17 • Took deliberate action to deprive Plaintiff of his right to **notice, hearing,**
18 **meaningful review, and access to lawful remedy**, in violation of core
19 constitutional protections under **due process** clauses;
- 20 • Acted under **color of law and commercial misrepresentation** to simulate
21 judicial authority, cloud legal title, and interfere with trust administration
22 and private secured interests.

23 253. These acts constitute a **gross abuse of state process** in violation of federal
24 protections under:

- 25 • **Fifth Amendment** – Deprivation of property without just compensation or
26 lawful process;
- 27 • **Fourteenth Amendment** – Denial of equal protection and due process;
- 28 • **42 U.S.C. § 1983** – Civil rights violations by those acting under color of law;

- 1 • **18 U.S.C. § 1964(c)** – Racketeering acts supporting a private right of action
- 2 for treble damages;
- 3 • **U.S. Const. art. I, § 10** – Impairment of contract;
- 4 • **U.S. Const. art. IV, § 2** – Protection of fundamental rights across states.

5 **254.Laches bars any defense** by Defendants asserting good faith, estoppel, or
6 ignorance. They were repeatedly served, notified, and publicly placed on record
7 with **affidavits, perfected UCC filings, and grant deed filings**, all of which they
8 dishonored, ignored, or actively suppressed.

9 **255.**As a direct and proximate result of the above-described acts, Plaintiff has
10 suffered:

- 11 • **Unlawful deprivation of possession, enjoyment, and control** of secured
- 12 property;
- 13 • **Irreparable injury to trust administration**, fiduciary capacity, and title
- 14 integrity;
- 15 • **Slander of title, reputational damage**, and interference with beneficial
- 16 commercial interests;
- 17 • **Economic loss**, including rents, investments, and opportunities foreclosed
- 18 due to simulated legal conflict;
- 19 • **Ongoing procedural obstruction**, administrative burden, and fiduciary
- 20 distress.

21 **256.**Plaintiff asserts a private right of action under 42 U.S.C. § 1983, and
22 demands the following relief:

- 23 • **Treble damages** pursuant to **18 U.S.C. § 1964(c)** for predicate RICO
- 24 violations that formed part of this property deprivation;
- 25 • **Compensatory and punitive damages** for constitutional injury and abuse of
- 26 state power;
- 27 • **Permanent injunctive relief** to bar any further actions by Defendants
- 28 involving the subject property or simulated legal process;

- 1 • **Restitution and cancellation** of all fraudulently recorded or filed
- 2 instruments;
- 3 • **Attorney's fees and full litigation costs**, under **42 U.S.C. § 1988** and federal
- 4 equity jurisdiction;
- 5 • Any further relief deemed just and proper by this Court in law and
- 6 equity.

7 257. This Court retains original jurisdiction over this cause due to the
8 constitutional dimension and federal statutory violations at issue. The conduct
9 complained of is not a mere private dispute – it is a calculated, state-enabled
10 deprivation of rights protected by the United States Constitution, commercial law,
11 and fiduciary doctrine.

12 **Count 16 - Declaratory and Injunctive Relief**
13 **(28 U.S.C. §§ 2201-2202; Fed. R. Civ. P. 57 & 65; 15 U.S.C. § 1116; 18 U.S.C. §**
14 **1964(c); U.S. Const. art. III, § 2; Doctrine of Laches)**
15 **Against All Defendants**

16 258. Plaintiff realleges and incorporates by reference all preceding paragraphs as
17 though fully set forth herein.

18 259. Pursuant to **28 U.S.C. §§ 2201-2202, Federal Rules of Civil Procedure 57 and**
19 **65, and Article III, § 2 of the United States Constitution**, this Court has original and
20 equitable jurisdiction to declare the legal rights of the parties and issue injunctive
21 relief necessary to prevent further irreparable injury and commercial harm.

22 260. Plaintiff is entitled to a declaration of rights and permanent injunctive relief
23 because the Defendants have:

- 24 • Asserted false and adverse claims to real property in derogation of
- 25 Plaintiff's **lawfully perfected legal and equitable title**, secured by **recorded**
- 26 **Grant Deeds** and **UCC-1 and UCC-3 filings**;
- 27 • Engaged in a pattern of **fraud, dishonor, and racketeering**, recording a **void**
- 28 **ab initio Trustee's Deed Upon Sale (Doc. No. 2025-0017386)** with **no**

foreclosure authority, and in express violation of publicly recorded prior interests;

- Simulated legal process, committed trademark infringement, and caused commercial and fiduciary injury through a **campaign of obstruction, deception, and malicious prosecution**;
- Ignored repeated presentments, offers to settle, affidavits of truth, and lawful commercial notices, thereby **triggering tacit procurement**, commercial estoppel, and **binding legal effect under UCC §§ 1-103, 1-308, and 3-505**.

261. Defendants' failure to timely respond or rebut any of Plaintiff's lawful presentments or recorded instruments establishes a **complete waiver of rights** under the doctrines of **laches** and **acquiescence**, and bars any equitable relief in their favor.

Declaratory Relief Requested

262. Plaintiff seeks the following declarations from this Court:

- That Plaintiff holds **superior legal and equitable title** to the real property located at **31990 Pasos Place, Temecula, California (APN: 957-570-005)**;
- That the **Trustee's Deed Upon Sale (Doc. #2025-0017386)** is **null, void ab initio**, and of **no force or legal effect**;
- That all **unrebutted affidavits, notices, liens, and perfected commercial instruments** filed by Plaintiff are **valid, enforceable, and binding** under the law of the land, commercial code, and federal equity;
- That any and all claims, liens, or instruments asserted by Defendants are **facially fraudulent, commercially dishonored, and legally unenforceable**.

Injunctive Relief Requested

263. Plaintiff seeks the following injunctive relief:

- **Permanent injunction** prohibiting Defendants and all persons acting in concert with them from asserting, recording, or attempting to enforce any **adverse or competing claim** to the subject property;

- An **order compelling the Riverside County Recorder to expunge, void, or cancel** the recorded Trustee's Deed Upon Sale and any related fraudulent filings or instruments submitted by or on behalf of Defendants;
- A **judicial bar** against Defendants from using or referencing Plaintiff's **protected trade names**, trademarks, estate identifiers, or copyrighted private identifiers **without consent**;
- A **mandate of specific performance** requiring Defendants to honor all terms, notices, obligations, and commercial instruments, including **payment of commercial damages, lien satisfaction, and restoration of title**;
- An **injunction against further litigation or simulated legal process** involving the property by Defendants **without verified, court-approved standing and leave**.

Monetary and Equitable Relief

264. In addition to the above, Plaintiff demands:

- **Treble damages** pursuant to **18 U.S.C. § 1964(c)** and **15 U.S.C. § 1117** for fraud, RICO violations, and trademark infringement;
- **Disgorgement and restitution** of all unjust gains, rents, and benefits derived from use or misappropriation of Plaintiff's property and trust rights;
- **Costs of suit**, attorneys' fees, expert witness fees, administrative penalties, and other lawful expenses incurred in the enforcement of secured rights and commercial remedies;
- **Any further relief** the Court deems necessary and proper in law or equity to restore **Plaintiff's full dominion and beneficial enjoyment** of trust property and to **punish Defendants for continued malicious conduct**.

DEMAND FOR TRIAL BY JURY

265. Pursuant to the **Seventh Amendment to the United States Constitution** and **Federal Rule of Civil Procedure 38**, Plaintiffs hereby respectfully demand their right

1 to a **trial by jury** on all claims and issues in this action that are so triable. Plaintiffs
2 assert that material questions of fact exist, including — but not limited to — violations
3 of federally protected rights, due process, and civil liberties by government actors
4 acting under color of law. These are matters that must be decided by a jury of **the**
5 **people**, as guaranteed by the Constitution and as a safeguard against governmental
6 overreach, judicial misconduct, and ultra vires authority.

7 **DEMAND FOR RELIEF AND EQUITABLE DETERMINATIONS**

8 266.Plaintiff realleges and incorporates by reference all preceding paragraphs as
9 though fully set forth herein.

10 267.Plaintiff, proceeding *sui juris, in propria persona*, without waiving any
11 rights, defenses, or remedies at law or equity, hereby demands final judgment and
12 adjudication in Plaintiff's favor and against all Defendants, jointly and severally,
13 and respectfully requests this Honorable Court grant the following **specific relief**
14 **and equitable determinations**, supported by the full record, the unrebutted
15 affidavits, and commercial and constitutional law:

16 **I. MONETARY DAMAGES**

17 **1. Compensatory Damages** in the amount of **\$15,000,000.00** (Fifteen Million
18 Dollars) for direct economic loss, property deprivation, reputational harm,
19 legal obstruction, administrative interference, and commercial injury,
20 including but not limited to:

- 21 • Unlawful displacement from property;
- 22 • Interference with trust rights and perfected title;
- 23 • Emotional distress, slander of title, and irreparable harm to commercial
24 standing.

25 **2. Treble Damages** under 18 U.S.C. § 1964(c), Cal. Bus. & Prof. Code §§ 17200–17208,
26 and 15 U.S.C. § 1117, totaling **\$45,000,000.00** (Forty-Five Million Dollars) for:

- 27 • Racketeering activity including mail and wire fraud, forgery, and civil
28 conspiracy;

- Unfair business practices and trademark violations;
- Knowing, willful, and malicious deprivation of protected property rights.

3. Liquidated Damages for unauthorized use of protected trademarks, as per unrebutted commercial record and contract, of **\$12,000,000.00 minimum** (twelve discrete trademark infractions at \$1,000,000 each), with reservation to increase upon verified discovery.

4. Liquidated damages in the amount of \$100,000,000.00 are hereby demanded, as itemized and evidenced in *Exhibit J: Contract and Security Agreement / Affidavit Certificate of Dishonor, Non-Response, Default, Judgment, and Lien Authorization*, bearing USPS Tracking No. #RF775824288US. Said instrument stands unrebutted and constitutes binding agreement under contract law. The principles of estoppel, **res judicata**, and **stare decisis** now apply with full force and effect.

5. Punitive Damages in the Court's discretion, not less than **\$25,000,000.00**, to punish and deter future similar misconduct, and to vindicate the public interest in maintaining judicial integrity, commercial honesty, and due process protections.

II. EQUITABLE DECLARATIONS AND MANDATES

6. Declaration of Title: A judicial declaration that Plaintiff holds **lawful, legal, and equitable title** to the real property located at **31990 Pasos Place, Temecula, California (APN: 957-570-005)**, free and clear of any adverse claims, encumbrances, or simulated liens recorded by or through Defendants.

7. Voidance of Trustee's Deed: A declaration that the **Trustee's Deed Upon Sale (Doc. #2025-0017386)** is **void ab initio**, recorded in fraud, and without lawful authority.

8. Commercial Record Recognition: A declaration affirming the validity, enforceability, and self-executing nature of all recorded affidavits, conditional

1 acceptances, security agreements, UCC filings, and commercial liens as
2 un rebutted and binding in law and equity.

3 **9. Commercial Estoppel:** A finding of **tacit procurement and estoppel** by silence and
4 failure to rebut Plaintiff's lawful notices, presentments, and affidavits, thereby
5 converting them to judgment by operation of law under UCC §§ 1-308 and 3-505.

6 **III. PERMANENT INJUNCTIVE RELIEF**

7 **10.**An **order permanently enjoining** all Defendants and any agents, assigns, or
8 successors in interest from:

- 9 • Asserting, recording, or litigating any claim to the subject property
10 without verified leave of court;
- 11 • Using Plaintiff's private name estate(s), trade names, or protected
12 identifiers in any legal or commercial forum;
- 13 • Initiating or continuing any further simulated legal process or
14 filings against Plaintiff relating to the subject matter of this case.

15 **11.****Mandamus Relief** compelling the **County Recorder** and any other
16 appropriate agency to **expunge and cancel all fraudulent or void instruments**
17 related to the subject property, including the Trustee's Deed and related false
18 claims of title.

19 **IV. RESTITUTION AND DISGORGEMENT**

20 **12.**An order of **full restitution and disgorgement** of all financial gains, rental
21 income, or commercial benefits obtained by Defendants through use, control,
22 or conversion of the subject property.

23 **13.****Return of possession and beneficial control** of the property to Plaintiff
24 immediately, along with full and fair accounting of all rents, income, and
25 disbursements made under color of law or simulated authority.

26 **V. COSTS, FEES, INTEREST, AND ANCILLARY RELIEF**

27 **14.****All legal costs and attorneys' fees**, as provided under 18 U.S.C. § 1964(c), 15
28 U.S.C. § 1117, 42 U.S.C. § 1988, and California law.

1 **15.Pre-judgment and post-judgment interest** on all damages awarded,
2 calculated from the date of first injury and continuing until full satisfaction of
3 judgment.

4 **16.Administrative costs, notary fees, lien enforcement expenses, and all**
5 costs of commercial enforcement pursuant to recorded instruments and
6 equity law.

7 **17.Any and all other relief** this Court deems just, proper, equitable, and
8 necessary to ensure full and final remedy.

9 **VI. STAY OF PARALLEL STATE COURT PROCEEDINGS**

10 **18.An order staying and enjoining all** related proceedings currently pending in
11 the Superior Court of California, County of Riverside – including but not
12 limited to the **unlawful detainer** (Case No. UDME2500465) action and any
13 **quiet title** (Case No. CVME2504043) or related civil proceedings – on the
14 grounds that:

- 15 • Said proceedings arise from the same operative facts and parties as this
16 federal action;
- 17 • The purported basis of those actions includes a facially void Trustee's
18 Deed Upon Sale and other fraudulent instruments already challenged
19 herein;
- 20 • The continued prosecution of those actions threatens irreparable harm,
21 inconsistent rulings, and undermines this Court's jurisdiction and
22 equitable authority;
- 23 • The claims and relief sought in this action encompass and preempt any
24 conflicting claims in state court under 28 U.S.C. §§ 2201–2202 and the
25 Supremacy Clause of the U.S. Constitution.

26 **19.**This stay shall remain in full force and effect pending final adjudication of this
27 federal action and entry of final judgment.

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VII. RESERVATION OF RIGHTS

20. Plaintiff expressly reserves all rights, claims, defenses, and remedies, whether known or unknown, in law, equity, commerce, or admiralty, and waives none by bringing this action.

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VERIFICATION:

Pursuant to 28 U.S.C. § 1746

BY AUTHORIZED REPRESENTATIVE WITH FIRSTHAND KNOWLEDGE

I, Kevin Realworldfare, over the age of 18, competent to testify, and having firsthand knowledge of the facts stated herein, do hereby declare, certify, verify, affirm, and state under penalty of perjury under the laws of the United States of America, that the foregoing statements are true, correct, and complete, to the best of my understanding, knowledge, and belief, and made in good faith.

Executed, signed, and sealed this 2nd day of June in the year of Our Lord two thousand and twenty five, *without* the United States, with all rights reserved and without recourse and without prejudice.

All rights reserved without prejudice or recourse, UCC § 1-308, 3-402.

By: Kevin Realworldfare
Kevin: Realworldfare, Plaintiff, Secured Party,
Real Party In Interest, Injured Party

LIST OF EXHIBITS / EVIDENCE:

1. **Exhibit A:** GRANT DEED recorded in Official Records County of Riverside, DOC #2024-0291980, APN: 957-570-005, File No.: 37238 KH, where the private trust property is titled to 'WG Private Irrevocable Trust, dated February 7, 2022'.
2. **Exhibit B:** UCC1 filing #2024385925-4.
3. **Exhibit C:** UCC1 filing #2024385935-1.
4. **Exhibit D:** UCC3 filing and NOTICE #2024402433-7.
5. **Exhibit E:** UCC3 filing and NOTICE #2024411182-7.
6. **Exhibit F:** GRANT DEED, DOC #2022-0490841, APN: 957-570-005, File No.: 30291 KH, recorded in Official Records County of Riverside.
7. **Exhibit G:** Affidavit and Contract and Security Agreement #EI988807156US.
8. **Exhibit H:** Affidavit and Contract and Security Agreement #RF775822865US.
9. **Exhibit I:** Affidavit and Contract and Security Agreement #RF775823755US.
10. **Exhibit J:** Contract and Security Agreement / Affidavit Certificate of Dishonor, Non-response, DEFAULT, JUDGEMENT, and LIEN AUTHORIZATION and LIEN AUTHORIZATION, #RF775824288US.
11. **Exhibit K:** Form 3811 corresponding to Exhibit G.
12. **Exhibit L:** Form 3811 corresponding to Exhibit H.
13. **Exhibit M:** Form 3811 corresponding to Exhibit I.
14. **Exhibit N:** Form 3811 corresponding to Exhibit J.
15. **Exhibit O:** Trust Certificate of WG PRIVATE IRREVOCABLE TRUST.
16. **Exhibit P:** Affidavit: Power of Attorney-In-Fact
17. **Exhibit Q:** Contract and Security Agreement / Affidavit Certificate of Dishonor, Non-response, DEFAULT, JUDGEMENT, and LIEN AUTHORIZATION and LIEN AUTHORIZATION, #RF661592201US.
18. **Exhibit R:** ™KEVIN WALKER© Trademark and Copyright Agreement
19. **Exhibit S:** ™DONNABELLE MORTEL© Trademark and Copyright Agreement
20. **Exhibit T:** Copy of Rule 8.4 Misconduct Approved by the Supreme Court.

- 1 **21.Exhibit U:** Copy of Defendants **defective and fraudulent** CROSS-COMPLAINT
- 2 **22. Exhibit V:** Copy of VERIFIED RESPONSE, *CONDITIONAL* ACCEPTANCE,
- 3 AND MOTION AND DEMAND TO STRIKE CROSS-COMPLAINT, SANCTION
- 4 COUNSEL FOR FRAUD, AND QUIET TITLE IN FAVOR OF PLAINTIFFS, as a
- 5 matter of law (Express Mail #ER192833495US).
- 6 **23.Exhibit W:** Copy of NOTICE OF RETURN of Defendants defective CROSS-
- 7 COMPLAINT.
- 8 **24. Exhibit X:** Proof of delivery of 'VERIFIED RESPONSE..' (Exhibit V) to Court.
- 9 **25. Exhibit Y:** Email correspondence from John Bailey and Barry Lee O'Connor
- 10 showing their clear **evasion, bad faith, and dishonor.**
- 11 **26. Exhibit Z:** Copy of GEORGIA'S OWN CREDIT UNION'S Request to Dismiss
- 12 **27. Exhibit AA:** [PURPORTED] 'DEFENDANTS' VERIFIED RESPONSE AND
- 13 DEMAND FOR DISMISSAL OF FRAUDULENT UNLAWFUL DETAINER AND
- 14 SANCTIONS AGAINST PLAINTIFF AND DEMAND FOR CONSIDERED AND
- 15 STIPULATED JUDGEMENT, AND DEMAND FOR QUIET TITLE AND
- 16 DEMAND FOR SUMMARY JUDGMENT IN FAVOR OF DEFENDANTS, AS A
- 17 MATTER OF LAW
- 18 **28. Exhibit BB:** Final Commercial Settlement Offer and Stipulated Quiet Title
- 19 Judgment
- 20 **29. Exhibit CC:** Defendants dishonorable denial of settlement Offer
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PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

I competent, over the age of eighteen (18) years, and not a party to the within action. My mailing address is the Walkernova Group, care of: 30650 Rancho California Road suite #406-251, Temecula, California [92591]. On or about **June 2, 2025**, I served the within documents:

1. **VERIFIED COMPLAINT FOR DAMAGES, EQUITABLE RELIEF, AND INJUNCTIVE RELIEF.**
2. **Exhibits A through CC.**

By United States Mail. I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed below by placing the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepared. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail in Riverside County, California, and sent via Registered Mail with a form 3811.

Naji Doumit, Mary Doumit, Daniel Doumit
C/o NAJI DOUMIT, MARINAJ PROPERTIES, FOCUS ESTATES INC
1130 South Tamarisk Drive
Anaheim, California [92807]
Registered Mail #RF775825796US with form 3811

Naji Doumit, Mary Doumit, Daniel Doumit
C/o NAJI DOUMIT, MARINAJ PROPERTIES, FOCUS ESTATES INC
22605 Alessandro Boulevard
Moreno Valley, California [92553]
Registered Mail #RF775826275US with form 3811

John L. Bailey (#103867), Therese Bailey (#171043)
C/o THE BAILEY LEGAL GROUP
25014 Las Brisas South, Suite B
Murrieta, California [92562]
Registered Mail #RF775826289US with form 3811

Barry-Lee: O'Connor
C/o BARRY LEE O'CONNOR, BARRY LEE O'CONNOR & ASSOCIATES
3691 Adams Street
Riverside, California [92504]
Registered Mail #RF775825782US with form 3811

By Electronic Service. Based on a court order and/or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addresses listed below.

Naji Doumit, Mary Doumit, Daniel Doumit
C/o NAJI DOUMIT, MARINAJ PROPERTIES, FOCUS ESTATES INC
louisatoui3@yahoo.com
najidoumit@gmail.com

John L. Bailey (#103867), Therese Bailey (#171043)
C/o THE BAILEY LEGAL GROUP
jbailey@tblglaw.com
tbailey@tblglaw.com

Barry-Lee: O'Connor (#134549)
C/o BARRY LEE O'CONNOR, BARRY LEE O'CONNOR & ASSOCIATES
udlaw2@aol.com

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **June 2, 2025** in Riverside County, California.

/s/Chris Yarbra/
Chris Yarbra

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NOTICE:

Using a notary on this document does *not* constitute joinder adhesion, or consent to any foreign jurisdiction, *nor does it alter my status in any manner*. The purpose for notary is verification and identification only and not for entrance into any foreign jurisdiction.

ACKNOWLEDGEMENT:

State of California)

) ss.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

County of Riverside)

On this 2nd day of June, 2025, before me, Joyti Patel, a Notary Public, personally appeared Kevin Realworlfare (formerly Kevin Walker), who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Joyti Patel (Seal)

